

**JOURNAL OF THE PROCEEDINGS
OF THE
BOARD OF COMMISSIONERS
OF COOK COUNTY**

SEPTEMBER 7, 2011



TONI PRECKWINKLE, PRESIDENT

**WILLIAM M. BEAVERS
JERRY BUTLER
EARLEAN COLLINS
JOHN P. DALEY
JOHN A. FRITCHEY
BRIDGET GAINER
JESUS G. GARCIA
ELIZABETH "LIZ" DOODY GORMAN
GREGG GOSLIN**

**JOAN PATRICIA MURPHY
EDWIN REYES
TIMOTHY O. SCHNEIDER
PETER N. SILVESTRI
DEBORAH SIMS
ROBERT B. STEELE
LARRY SUFFREDIN
JEFFREY R. TOBOLSKI**

**DAVID ORR
COUNTY CLERK**

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JOURNAL OF THE PROCEEDINGS

OF THE

BOARD OF COMMISSIONERS

OF COOK COUNTY

Meeting of Wednesday, September 7, 2011

**10:00 A.M.
Daylight Savings Time**

COOK COUNTY BOARD ROOM, COUNTY BUILDING

Board met pursuant to law and pursuant to Resolution 11-R-26.

OFFICIAL RECORD

President Preckwinkle in the Chair.

CALL TO ORDER

At 10:00 A.M., being the hour appointed for the meeting, the President called the Board to order.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ROLL CALL

Present: President Preckwinkle and Commissioners Beavers, Butler, Collins, Daley, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Sims, Suffredin and Tobolski (16).

Absent: Commissioner Steele (1).

INVOCATION

Reverend Doctor Henry Anthony Barlow of Tremont Tabernacle Baptist Church gave the Invocation.

President Preckwinkle moved that the meeting do now recess for the purpose of holding the various committee meetings.

BOARD RECONVENED

President Preckwinkle in the Chair.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ROLL CALL

Present: President Preckwinkle and Commissioners Beavers, Butler, Collins, Daley, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Sims, Suffredin and Tobolski (16).

Absent: Commissioner Steele (1).

BOARD OF COMMISSIONERS OF COOK COUNTY

PRESIDENT

SUBSTITUTE RESOLUTION

**11-R-263
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND WILLIAM M. BEAVERS,
JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES,
TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE,
LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

CONGRATULATING THE CHAMPION COOK COUNTY SOFTBALL TEAM

WHEREAS, the Cook County Softball Team (“the Team”) was crowned champions of the 2011 intergovernmental softball league; and

WHEREAS, the Team went undefeated in the league by soundly beating teams from the City of Chicago Mayor’s Office and the Office of the Illinois Governor; and

WHEREAS, prior to trouncing all other contenders in the league, members of the Team practiced for approximately two months; and

WHEREAS, the Team destroyed the first team from the City of Chicago Mayor's Office 14 to 4; and

WHEREAS, the Team was somewhat more merciful on the second team from the City of Chicago Mayor's Office by outscoring them 12 to 9; and

WHEREAS, in the first meeting between the Team and the Office of the Illinois Governor, the Governor's office was saved from its defeat by darkness; and

WHEREAS, that destruction of the Governor's office was inevitable, as the Team trounced the Governor's squad 17 to 4 in the championship game; and

WHEREAS, the Team was anchored by the wall-like defensive fielding of Commissioner Elizabeth Gorman; and

WHEREAS, the Team was adeptly managed and organized by Matthew DeLeon, Secretary of the Board of Commissioners of Cook County; and

WHEREAS, Mr. DeLeon also made an indelible impression on the opposition by decking out the Team in striking blue and gold uniforms; and

WHEREAS, the members of the Team include:

Chris Adas, David Avila, LaNeesha Barker, Kesner Bienvenu, Angela Brown-Johnson, Andrea Burrell, Jamal Bowleg, Natalie Cappiello, Pat Carey, Andrew Cubria, Matthew DeLeon, Tim Egan, Kevin Fanning, Commissioner John Fritchey, Michael Gamboney, Joy Glover, Bob Ginsburg, Commissioner Elizabeth Gorman, Maggie Jablonski, Samira Jali, John Keller, Robin Kelly, Neil Khare, Owen Kilmer, Tim Kinsella, Bridget Luehrsen, Michael Masters, Brian Miller, Christian Mitchell, Karin Norrington-Reaves, President Toni Preckwinkle, Arnold Randall, Torey Reinbold, Takashi Reinbold, Andy Schwarm, Kurt Summers, Kevin Tirella, Rudy Urian; and

WHEREAS, the Team is looking forward to trouncing the Mayor's and Governor's offices in softball next year; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cook County takes great pleasure in congratulating its 2011 Champion Softball Team; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be spread upon the official proceedings of this Honorable Body and that an official copy of the same be tendered to the Honorable Mayor Rahm Emmanuel and the Honorable Governor Pat Quinn.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Silvestri, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Fritchey, moved to accept the Proposed Substitute Resolution. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Gorman, moved that the Substitute Resolution be approved and adopted. **The motion carried unanimously.**

COMMISSIONERS

ORDINANCE AMENDMENT

11-O-71

ORDINANCE

Sponsored by

THE HONORABLE DEBORAH SIMS, COUNTY COMMISSIONER

CANNABIS POSSESSION

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 58 Offenses and Miscellaneous Provisions, Article VI Offenses Against the Public Peace, Section 58-170 of the Cook County Code is hereby enacted as follows:

ARTICLE VI. OFFENSES AGAINST THE PUBLIC PEACE

Sec. 58-170. Possession of cannabis.

(a) *Definitions.* All terms and phrases used herein shall have the same meaning as ascribed to them in the Cannabis Control Act (720 ILCS 550/1 et seq.); ~~except the term "person" is limited to natural persons who have attained the age of seventeen (17) years or more.~~

(b) *Offense of possession of cannabis.* A person commits the offense of possession of cannabis within the unincorporated area of Cook County or areas of primary local police enforcement by the Cook County Sheriff's Office as defined by intergovernmental agreement between the Sheriff's Office and the local municipality as approved by the Board of Commissioners, by knowingly possessing ten (10) grams or less of any substance containing cannabis unless permitted or authorized to do so pursuant to the Cannabis Control Act (720 ILCS 550/1 et seq.).

(c) *Violations, Penalties.*

- (1) Any person violating subsection (b) shall be subject to a mandatory fine of not less than two hundred dollars (\$200.00).
- (2) Any motor vehicle which is used in any manner to facilitate the possession of cannabis in violation of subsection (b) shall be subject to seizure and impoundment pursuant to Section 58-164.

(d) *Administrative adjudication.* Any person issued a notice of violation for violation of subsection (b) of this Section may request an administrative hearing in accordance with Chapter 2 Administration, Article IX, Administrative Hearings of this Code.

Effective date: The Ordinance Amendment shall be effective 60 days after passage.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims seconded by Commissioner Suffredin, moved that the Proposed Ordinance Amendment be approved and adopted.

Commissioner Butler, seconded by Commissioner Tobolski, moved that the Proposed Ordinance Amendment be referred to the Committee on Law Enforcement. Commissioner Silvestri called for a Roll Call, the vote of yeas and nays being as follows:

**ROLL CALL ON MOTION TO REFER THE PROPOSED ORDINANCE AMENDMENT TO
THE COMMITTEE ON LAW ENFORCEMENT**

Yeas: Commissioners Butler, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Tobolski - 8.

Nays: Commissioners Beavers, Collins, Daley, Fritchey, Gainer, Garcia, Sims, Suffredin - 8.

Absent: Commissioners Steele - 1.

The motion to refer FAILED.

Returning to the main motion, Commissioner Sims, seconded by Commissioner Suffredin, moved that the Ordinance Amendment be approved and adopted. **The motion carried.**

Commissioner Sims, seconded by Commissioner Collins, moved to amend the Ordinance Amendment on its face. Commissioner Sims, seconded by Commissioner Suffredin, moved the approval of the Ordinance Amendment, as amended. Commissioner Butler, called for a Roll Call, the vote of yeas and nays being as follows:

**ROLL CALL ON MOTION TO AMEND THE PROPOSED ORDINANCE
AMENDMENT**

Yeas: Commissioners Beavers, Collins, Daley, Fritchey, Gainer, Garcia, Goslin, Murphy, Reyes, Schneider, Silvestri, Sims, Suffredin, Tobolski - 14.

Nays: Commissioners Butler, Gorman - 2.

Absent: Commissioners Steele - 1.

The motion to approve, as amended CARRIED.

* * * * *

**11-O-72
ORDINANCE**

Sponsored by

**THE HONORABLE GREGG GOSLIN, COUNTY COMMISSIONER
AND TONI PRECKWINKLE, PRESIDENT OF THE
COOK COUNTY BOARD OF COMMISSIONERS**

AMENDMENT TO THE COOK COUNTY VEHICLE POLICY

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Article VIII County Vehicle Policy, Section 2-671 of the Cook County Code are hereby amended as follows:

Sec. 2-671. Establishment of a Countywide Vehicle Steering Committee

(a) The County Board hereby establishes a Vehicle Steering Committee (VSC) to work closely with the County Board's Finance Committee.

(b) The Vehicle Steering Committee and enforcement of this policy will fall under the auspices of the Chief Administrative Officer.

(bc) The Vehicle Steering Committee shall be composed of the following departments and elected officials or their designees:

- (1) Chief Administrative Officer.
- (2) Chief of the Bureau of Information Technology.
- (3) Chief Financial Officer.
- (4) Chief of the Bureau of Human Resources.
- (5) Director of the Department of Budget and Management Services.
- (6) Purchasing Agent.
- (7) Superintendent of Highways.
- (8) Director of the Department of Risk Management.
- (9) Director of the Department of Environmental Control.

- (10) State's Attorney.
- (11) Sheriff.
- (12) Clerk of the Circuit Court.
- (13) Chair of the Finance Committee of the County Board.
- (14) Chair of the Environmental Control Committee of the County Board.
- (ed) Department Heads and Vehicle Coordinators may be asked to attend as needed in order to discuss and resolve departmental issues.
- (de) The Vehicle Steering Committee shall have the following responsibilities:
 - (1) Develop a plan to centralize fleet management in the County to be presented to the County Board no later than November 30, 2007. Such plan shall include the text of proposed ordinances, including projected costs and potential cost savings, necessary to implement centralized fleet management.
 - (2) Administer and ensure compliance with this article.
 - (3) Advise and make recommendations to the President and Finance Committee.
 - (4) Review all requests for the purchase or lease of vehicles for compliance with this article.
 - (5) Review vehicle inventory, incident and other required reports from all County offices and departments, and ensure compliance with reporting requirements.
 - (6) Establish procedure to implement and enforce vehicle policies;
 - (7) Prepare a quarterly report to the Board of Commissioners, detailing all collision or use-related damage to County-owned vehicles and the status of the damaged vehicle, any violations resulting in the arrest of the driver of any County-owned vehicle, and any reported unauthorized use of a County-owned vehicle.
 - (8) Submit annual reports to the Board detailing the changes as described herein to the vehicle inventory for the preceding 12 months as well as a list of departments that have failed to submit updated information for the reporting period.
 - (9) Review department vehicle requests approved by the Department of Budget and Management Services and included in the annual appropriation ordinance.
 - (10) Develop future vehicle strategies in various areas such as:
 - a. Centralized purchase of routine maintenance services;
 - b. Centralized purchase of major repair services;
 - c. Centralized purchase of body work services;

- d. Development of an executive leasing program;
 - f. Use of car sharing services;
 - g. Use of Global Positioning System (GPS) and wireless technology for vehicle location and recordkeeping purposes;
 - h. Establishment of personnel disciplinary procedures relating to the operation of vehicles during the course of employment; and
 - i. Other matters deemed appropriate.
- (ef) Meetings:
- (1) Meetings will be chaired by the ~~Chief Financial Officer~~ Chief Administrative Officer or his/her designee.
 - (2) Meetings will be held quarterly at minimum

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Goslin, seconded by Commissioner Murphy, moved that the Ordinance Amendment be approved and adopted. **The motion carried unanimously.**

PROPOSED ORDINANCE

Submitting a Proposed Ordinance sponsored by

GREGG GOSLIN, EDWIN REYES, PETER N. SILVESTRI, County Commissioners

PROPOSED ORDINANCE

OFFENSES AGAINST THE PUBLIC PEACE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 58 Offenses and Miscellaneous Provisions, Article VI Offenses Against the Public Peace, Sections 58-171 through 58-174 of the Cook County Code is hereby enacted as follows:

ARTICLE VI. OFFENSES AGAINST THE PUBLIC PEACE

Sec. 58-171. Intoxication.

(a) It shall be unlawful for any person to be in a state of intoxication in any street, alley or public place that is under jurisdiction of the County.

(b) It shall be unlawful for any person to drink any alcoholic liquor as defined bylaw on any public way under the jurisdiction of the County. This section shall not apply to portions of the public way occupied by a sidewalk cafe, which is properly licensed to sell alcoholic liquor.

(c) Any person violating any provision of this section shall be fined \$75.00.

Sec. 58-172. Disorderly conduct.

(a) It shall be unlawful for any person to commit disorderly conduct. A person commits disorderly conduct when he knowingly:

- (1) Does any act in such unreasonable manner as to provoke, make or aid in making a breach of peace; or
- (2) Resists or obstructs the performance by one known to the person to be a police officer of any authorized act within his official capacity; or
- (3) Fails to obey a lawful order of dispersal by a person known by him to be a police officer; or
- (4) Does any offensive act which under the circumstances creates a clear and present danger of breach of the peace or imminent threat of violence; or
- (5) Appears in any public place manifestly under the influence of alcohol, narcotics or other drug, not therapeutically administered, to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity; or
- (6) Carries in a threatening or menacing manner, without authority of law, any razor, knife, stiletto, blackjack, bludgeon, metal knuckles, slingshot, any knife, the blade of which is released by a spring mechanism, including knives known as "switch-blades", undetectable knives as defined in Section 58-176 of this Code, an object containing noxious or deleterious liquid, gas or substance or other weapon, or conceals said weapon on or about the person or vehicle.

(b) A person found violating any provision of this section shall be fined \$100.00.

Sec. 58-173. Trespassing.

A person commits trespass when he knowingly:

(a) Enters the property, or any part thereof, of another when, immediately prior to such entry, he receives notice, either oral or written, from the owner or occupant that such entry is forbidden; or

(b) Remains upon the property, or any part thereof, of another after receiving notice, either oral or written, from the owner or occupant to depart.

a. Any person found in violation of this section shall be fined \$100.00

Sec. 58-174. Administrative adjudication.

Any person issued a notice of violation for violation of Section 58-171 to Section 58-173 of this Article may request an administrative hearing in accordance with Chapter 2, Administration, Article IX, Administrative Hearings of this Code.

Effective date: This Ordinance shall be in effect 30 days from adoption.

Commissioner Goslin, seconded by Commissioner Reyes, moved that the Proposed Ordinance be referred to the Committee on Law Enforcement. (Comm. No. 314393). **The motion carried unanimously.**

ORDINANCE

**11-O-73
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND JESUS G. GARCIA,
JOHN A. FRITCHEY, BRIDGET GAINER, JOAN PATRICIA MURPHY, EDWIN REYES,
DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI
COUNTY COMMISSIONERS**

POLICY FOR RESPONDING TO ICE DETAINERS

WHEREAS, Cook County is a “Fair and Equal County for Immigrants,” as defined in 07-R-240; and

WHEREAS, there is ongoing confusion regarding the proper boundaries of the relationship between local law enforcement and Immigration and Customs Enforcement (“ICE”); and

WHEREAS, this is especially true in the context of ICE detainers, which are issued pursuant to 8 USC § 1226 or 8 USC § 1357(d), and used by the Department of Homeland Security (“DHS”) to advise local law enforcement agencies that DHS seeks custody of an individual presently in the custody of that agency; and

WHEREAS, 8 CFR § 287.7 expressly provides that ICE detainers are merely “requests” that local law enforcement advise DHS when the individual is due to be released, and that the agency continue holding the individual beyond the scheduled time of release for up to 48 hours, excluding weekends and federal holidays, in order for ICE to arrange to assume custody; and

WHEREAS, due to troubling inconsistencies in ICE policies, many local law enforcement agencies erroneously believe ICE detainers are mandatory and that local law enforcement agencies are legally required to comply; and

WHEREAS, ICE detainers are generally issued before a finding of probable cause that an individual is deportable, and have even been imposed on U.S. Citizens by mistake; and

WHEREAS, ICE detainers are routinely imposed on individuals without any criminal convictions or whose cases are dismissed, but the federal government only reimburses part of the costs associated with ICE detainers, if there is a written agreement with the State or local subdivision of a State; and

WHEREAS, ICE will not indemnify local agencies for costs or liability incurred as a result of wrongful detainees; and

WHEREAS, it costs Cook County approximately \$43,000 per day to hold individuals “believed to be undocumented” pursuant to ICE detainees, and Cook County can no longer afford to expend taxpayer funds to incarcerate individuals who are otherwise entitled to their freedom; and

WHEREAS, the enforcement of immigration laws is a responsibility of the federal government; and

WHEREAS, ICE detainees encourage racial profiling and harassment; and

WHEREAS, having the Sheriff of Cook County participate in the enforcement of ICE detainees places a great strain on our communities by eroding the public trust that the Sheriff depends on to secure the accurate reporting of criminal activity and to prevent and solve crimes; and

WHEREAS, by means of this ordinance, Cook County joins states, cities, and counties across the nation that are informed about the discretionary nature of ICE detainees and refuse to enforce them, except in situations where federal reimbursement may be available.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 46 Law Enforcement, Section 46-37 of the Cook County Code is hereby enacted as follows:

Sec. 46-37. Policy for responding to ICE detainees.

(a) The Sheriff of Cook County shall decline ICE detainer requests unless there is a written agreement with the federal government by which all costs incurred by Cook County in complying with the ICE detainer shall be reimbursed.

(b) Unless ICE agents have a criminal warrant, or County officials have a legitimate law enforcement purpose that is not related to the enforcement of immigration laws, ICE agents shall not be given access to individuals or allowed to use County facilities for investigative interviews or other purposes, and County personnel shall not expend their time responding to ICE inquiries or communicating with ICE regarding individuals’ incarceration status or release dates while on duty.

(c) There being no legal authority upon which the federal government may compel an expenditure of County resources to comply with an ICE detainer issued pursuant to 8 USC § 1226 or 8 USC § 1357(d), there shall be no expenditure of any County resources or effort by on-duty County personnel for this purpose, except as expressly provided within this Ordinance.

(d) Any person who alleges a violation of this Ordinance may file a written complaint for investigation with the Cook County Sheriff’s Office of Professional Review.

Effective Date: This Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk.

Commissioner Garcia, seconded by Commissioner Reyes, moved that the Ordinance for the Policy for Responding to ICE Detainers be approved and adopted. Commissioner Beavers called for a Roll Call, the vote of yeas and nays being as follows:

ROLL CALL ON THE MOTION TO APPROVE

Yeas: Commissioners Butler, Collins, Fritchey, Gainer, Garcia, Murphy, Reyes, Sims, Suffredin, Tobolski - 10.

Nays: Commissioners Daley, Gorman, Goslin, Schneider, Silvestri - 5.

Present: Commissione Beavers - 1.

Absent: Steele - 1.

The motion to approve CARRIED and the Ordinance was APPROVED AND ADOPTED.

PROPOSED RESOLUTIONS

Submitting a Proposed Resolution sponsored by

GREG GOSLIN, County Commissioner

PROPOSED RESOLUTION

Elected Officials Budget Summary Report

WHEREAS, like other local and state governments Cook County has been experiencing a budget crisis for the last several years; and

WHEREAS, as the unit of government responsible for the County's overall budget it is incumbent upon the Cook County Board of Commissioners to closely monitor spending throughout the current fiscal year; and

WHEREAS, the Cook County Comptroller currently tracks all spending, including that of all elected officials and departments, within the County thru the Quarterly Appropriation Trial Balance; and

WHEREAS, in an effort to streamline the information the Comptroller is directed to prepare a separate report detailing the appropriation and expenditures of all County elected officials on a mid-year and year-end basis, and said **reports will have no fiscal impact** as the information is already tracked by the Comptroller; and

THEREFORE, BE IT RESOLVED, that the **Elected Officials Budget Summary Report** shall be distributed twice a year encompassing expenditures from December 1st to June 30th and thru November 30th for the end of the fiscal year report; and

BE IT FURTHER RESOLVED, that the **Elected Officials Budget Summary Report** be distributed no more than 30 days after the mid-year reporting period, and a draft no more than 30 days after the end of the fiscal year with a final report issued after the fiscal year report is complete.

This item was WITHDRAWN at the request of the sponsor.

* * * * *

Submitting a Proposed Resolution sponsored by

BRIDGET GAINER, County Commissioner

PROPOSED RESOLUTION

**DISCUSSION ON THE PENSION MULTIPLIER CHANGE
FOR SPECIAL PURPOSE FUNDS AND GRANTS**

WHEREAS, the department of Budget and Management released a memo on August 18, 2011 to address the indirect cost rates to be used for grants and special purpose funds.

WHEREAS, the department of Budget and Management would like to ensure that the general fund does not subsidize any indirect costs attributable to special purpose funds or grants.

WHEREAS, it was determined by the department of Budget and Management that the pension amount for special purpose funds should be calculated at the actuarial rate rather than the required contribution rate.

WHEREAS, the change to an actuarial allocation model for pension contributions would mean using a 4.95 multiplier instead of a 1.54 multiplier. The resulting impact will go from 13.09% to 42.07% for special purpose funds.

NOW THEREFORE BE IT RESOLVED, that the Cook County Subcommittee on Pension meet to discuss this change and its impact on the overall Cook County employer contribution.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Silvestri, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Gainer, seconded by Commissioner Silvestri, moved that the Proposed Resolution be referred to the Finance Subcommittee on Pension. (Comm. No. 314420). **The motion carried unanimously.**

RESOLUTION

**11-R-265
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND WILLIAM M. BEAVERS,
JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY, BRIDGET
GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN, GREGG GOSLIN,
JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N.
SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

**JOINING THE NATIONAL MOMENT OF REMEMBRANCE
OF THE 10TH ANNIVERSARY OF SEPTEMBER 11TH**

WHEREAS, the Cook County Board of Commissioners expresses their support of the United States Senate regarding coming together as a Nation for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, government officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners:

- (1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and
- (2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and
- (3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and
- (4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

- (5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED, that on the 10th anniversary of this tragic day in United States history the Cook County Board of Commissioners calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

BE IT FURTHER RESOLVED, that the Cook County Board of Commissioners encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time to the maximum extent practicable, by ceasing all work or other activity; and marking the moment in an appropriate manner, including ringing bells, blowing whistles, or sounding sirens.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

In accordance with Cook County Code Section 2-108(2)(1) Amendment or Suspension of Rules, Commissioner Daley, seconded by Commissioner Suffredin, moved to suspend Section 2-108(g)(1) order of business. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Silvestri, moved that the request of the Proposed Resolution be approved. **The motion carried unanimously.**

President Preckwinkle called for a "rising vote".

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**11-R-264
RESOLUTION**

Sponsored by

**THE HONORABLE JOAN PATRICIA MURPHY, COUNTY COMMISSIONER
AND TONI PRECKWINKLE, PRESIDENT OF THE BOARD OF COMMISSIONERS**

Co-Sponsored by

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS,
JOHN P. DALEY, JOHN A. FRITCHEY, BRIDGET GAINER, JESUS G. GARCIA,
ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, EDWIN REYES,
TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,**

LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS

A RESOLUTION IN SUPPORT OF THE MILLION FATHER MARCH 2011

WHEREAS, the Million Father March 2011 is sponsored by the Schott Foundation for Public Information in partnership with the National PTA and the National Fatherhood Initiative; and

WHEREAS, the Million Father March has increased first day school attendance in Chicago by three percent, providing an accumulated total of nearly \$100,000,000 in additional funding for the Chicago Public Schools; and

WHEREAS, between August 3, 2011 and October 3, 2011, 700 cities and 1,000,000 men are expected to participate in the Million Father March including between 40,000 and 50,000 in Chicago alone; and

WHEREAS, research has shown that when a father takes an active role in the educational and social development of a child, the child earns better grades, gets better test scores, enjoys school more, and is more likely to graduate high school and attend college; and

WHEREAS, this year, the Million Father March asks fathers and other men to support and commit to children and the schools they attend and volunteer ten hours of service to their children's school for a total of ten million hours of service by the end of the school year; and

WHEREAS, the Million Father March participants include grandfathers, foster fathers, stepfathers, uncles, cousins, big brothers, significant male caregivers, friends of the family as well as women and men of all ethnicities and faiths taking their children to school on the first day; and

WHEREAS, the Million Father March asks businesses to give fathers and other men two hours off the morning of the first day of school to take their children to school; religious leaders and faith-based institutions are asked to adopt a neighborhood school and to partner with and support that school throughout the school year; and

WHEREAS, the Million Father March was established by The Black Star Project in 2004 to encourage fathers to take an active role in their children's educational lives with the goal to take their children to school on the first day of school.

NOW, THEREFORE, BE IT RESOLVED, that the President and the Cook County Board of Commissioners laud the efforts of The Black Star Project and the Million Father March and join with them to encourage all men to show their commitment to the educational lives of their children on the first day of school and throughout the school year; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to The Black Star Project in recognition of the importance of the Million Father March to the community, schools, and most of all the students of Cook County.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Murphy, seconded by Commissioner Daley, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

CONSENT CALENDAR

**11-R-266
RESOLUTION**

Sponsored by

THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER

Co-Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND WILLIAM M. BEAVERS,
JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH "LIZ" DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND JEFFREY R. TOBOLSKI
COUNTY COMMISSIONERS**

COMMEMORATING THE LIFE OF MARCIA WYNN

WHEREAS, Marcia Wynn was born on May 19, 1949 and grew up in Evanston, Illinois; and

WHEREAS, Marcia Wynn attended Noyes Elementary School, Haven Middle School, and Evanston Township High School. Thereafter, she continued her studies at the University of Denver; and

WHEREAS, On August 5, 1967, Marcia Wynn married her high school sweetheart, Michael Wynn, and the two celebrated their 44th Wedding Anniversary in 2011. The couple was blessed with four children, Kelli, Laura, Justin, and Riian; and

WHEREAS, Marcia Wynn was baptized at Ebenezer A.M.E Church as an infant and later became a member in 2002. Until her death, she continued to be active at Ebenezer Church and often worshipped with its ministers and members; and

WHEREAS, Marcia Wynn was actively involved in her community participating in the PTA and the Girl Scouts; and

WHEREAS, Marcia Wynn was an avid reader and enjoyed World War II History. Marcia Wynn's favorite past times included shopping with her mother and ceramics. Many of her ceramic creations are proudly displayed in her home; and

WHEREAS, Marcia Wynn had an illustrious career in systems management and retired from Trustmark Insurance Co. in 2002; and

WHEREAS, Marcia Wynn had an enduring spirit and turned the tragic death of her son, Justin, into an opportunity to touch the Evanston schoolchildren and impact the North Shore community; and

WHEREAS, Marcia Wynn started the Justin Wynn Leadership Academy, a nonprofit organization with the purpose of instilling in young people the virtues she felt her son embodied – citizenship, leadership, and sportsmanship; and

WHEREAS, Marcia Wynn chose students from Evanston’s elementary schools to become “Wynners” and join the Justin Wynn Leadership Academy where they met monthly to plan and carry out service projects including basketball tournaments to raise money for charity, volunteering at soup kitchens, visiting with seniors at local retirement homes, and helping with annual food drives; and

WHEREAS, Marcia Wynn was called to be with the Lord on August 10, 2011 and will be deeply missed by her children, grandchildren, family, friends, the Justin Wynn Leadership Academy, the congregation of Ebenezer Church, and the Evanston community; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cook County takes great pleasure in commemorating the life of Marcia Wynn, and herewith expresses its sincere gratitude for the invaluable contributions she has made to the Evanston community; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be spread upon the official proceedings of this Honorable Body and that an official copy of the same be tendered to the family of Marcia Wynn.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-267
RESOLUTION**

Sponsored by

THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER

Co-Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND WILLIAM M. BEAVERS,
JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND JEFFREY R. TOBOLSKI**

COUNTY COMMISSIONERS

**RECOGNIZING MRS. WILLIE M. WEEKS FOR HER DEVOTED CONTRIBUTIONS
TO HER NEIGHBORHOOD, COMMUNITY AND STATE**

WHEREAS, Mrs. Weeks has lived in Evanston, Illinois for over 5 decades and been a resident of the Lake-Brown-Greenwood-Grey neighborhood for over 45 years; and

WHEREAS, when integration of the schools took place, Mrs. Weeks was instrumental in facilitating the start of busing of the neighborhood children to Dawes School. She, along with other parents, rode the school bus with the children; and

WHEREAS, Mrs. Weeks has served as President of her neighborhood block club for close to 3 decades, during which time her leadership has contributed to a strong sense of community and togetherness among residents who live south of the Evanston Township High School campus stretching from the west of Dodge to Pitner; and

WHEREAS, Mrs. Weeks has worked alongside other members of her block club to watch over the safety and wellbeing of the children of their neighborhood, as exemplified when the block club, under Mrs. Weeks' leadership, organized and demonstrated to the city the need to install a traffic light at the intersection of Lake and Dodge for the safety of the neighborhood children who walked to Dewey Elementary School; and

WHEREAS, Mrs. Weeks and block club members worked with the city of Evanston to establish residential parking for the neighborhood south of ETHS; and

WHEREAS, Mrs. Weeks helped to organize fellow residents to defeat a proposal for a private skate park to be built on a lot adjacent to their neighborhood, while at the same time actively supporting responsible development and beautification of their residential area; and

WHEREAS, Mrs. Weeks joined with members of her block club to establish a Neighborhood Watch and Foot Patrol because of the rise of gang activity, drugs and crime in their area; and

WHEREAS, Mrs. Weeks' leadership was integral for years in the planning of one of the best block parties in Evanston; and

WHEREAS, the block club over which she has presided has been an inspiration and model for other neighborhood associations throughout Evanston; and

WHEREAS, during her presidency, Mrs. Weeks has gained the respect and admiration of countless city officials, including present and past mayors and alderman; and

WHEREAS, following a mistake involving her tax bill and the subsequent threat that she would be evicted from the town home she rightfully owns, Mrs. Weeks' courageous and successful challenge culminated not only in her retaining her home but in the eventual approval of the "Weeks Amendment" passed by the Illinois legislature, which protects Illinois taxpayers from having to endure a similar ordeal; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cook County takes great pleasure in recognizing the contributions of Mrs. Willie M. Weeks and herewith expresses its

sincere gratitude for the invaluable contributions she has made to her fellow neighbors and citizens of Evanston, Illinois; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be spread upon the official proceedings of this Honorable Body and that an official copy of the same be tendered to Mrs. Willie M. Weeks.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-268
RESOLUTION**

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

WHEREAS, Ramadan, celebrated the world over by more than one billion Muslims, is the month when Muslims believe God gave the first verses of the Koran to the Prophet Muhammad, and is a sacred Muslim holiday, spanning the ninth month of the Islamic calendar; and

WHEREAS, Ramadan is one of the five “pillars” or duties in the religion of Islam, and observance of Ramadan is considered necessary to the strengthening of one’s faith; and

WHEREAS, Ramadan is a time to spiritually purify one’s soul through self-sacrifice, more frequent prayer and self-reflection, and presents an opportunity to learn about patience, humility and submissiveness to God; it is also a time to mend troubled relationships, forgive others, and give to charity; and

WHEREAS, the month of Ramadan involves daily fasting from sunrise to sunset and, because everyone is eating dinner after sunset, Muslims often invite friends and family to share in the evening meal during Ramadan ; and

WHEREAS, Ramadan concludes with a three-day festival, Eid ul Fitr, which celebrates the month-long struggle toward a higher spiritual state.

NOW, THEREFORE, BE IT RESOLVED, that I, Toni Preckwinkle, as Cook County Board President and on behalf of the more than 5.4 million residents of Cook County, do hereby extend my gratitude to the Muslim community for spiritually enriching the lives of the residents of Cook County, and do express best wishes for a spiritually profound experience of Ramadan.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-269
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, PRESIDENT TONI PRECKWINKLE,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

WHEREAS, On Sunday, August 28, 2011, the St. Joseph’s Club will observe the 85th Anniversary of its establishment as an organization; and

WHEREAS, originally called the San Giuseppe Society, the club was established to provide a social forum and support network for recent immigrants from Italy, who came to America seeking a better opportunity for their families; and

WHEREAS, prominent members of the local parishes of All Saints and St. Anthony’s were instrumental in the Club’s early days, when the facility located at 608 W 26th Street was home to the Club’s many social activities; and

WHEREAS, St. Joseph’s Club was one of the first Italian-America Clubs in the City of Chicago to own its own property, reflective of the vast support the Club received, and the relative prosperity of its members; and

WHEREAS, 85 years later, the proud traditions continue, with Club members hosting such longstanding practices as the annual St. Joseph’s Table, and the Procession and Mass in honor of the Patron Saint; and

WHEREAS, the Club today has a roster of 120 members, including second, third, and now fourth generation families; and

WHEREAS, this proud tradition will receive a tribute from the Parish community on August 28, 2011, with a Procession to All Saints-St. Anthony, a Special Mass, and visit to many historic sites of significance to the Club.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its congratulations to Club President Anthony Donator, Vice President Paul Di Caro, Vice President Ed Schmit, Jr., Secretary/Treasurer Jerry Catuara, and Financial Secretary Sean Collins, and all the members past and present of this outstanding organization; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the St. Joseph's Club to commemorate this great occasion and celebrate 85 years of blessed service to the community.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-270
RESOLUTION**

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

WHEREAS, Almighty God in His infinite wisdom, has called a joyful, loving and beloved woman, Viola Vivian Strickland, affectionately known by her siblings as "Baby Sister," from our midst; and

WHEREAS, Mrs. Strickland was born on December 24, 1915 in Huntsville, Alabama, to proud parents, Bennie and Betty Binford; Mrs. Strickland received her formal education in Huntsville as well; and

WHEREAS, Mrs. Strickland found Jesus at an early age, and worshiped at Gain's Chapel in Huntsville, Alabama; and

WHEREAS, Mrs. Strickland married James Green in 1938, and to their union were born eight children; James preceded her in death in 1978; and

WHEREAS, Mrs. Strickland worked as domestic help while living in Alabama, primarily cooking, which she loved; she relocated to Chicago in the 1950s and worked in the bakery at Woolworth Co.; customers would come in requesting only the pies and cakes that she, specifically, had made; and

WHEREAS, in Chicago, Mrs. Strickland met and married Horace Strickland and to their union one child was born; Horace preceded her in death in 1983; and

WHEREAS, Mrs. Strickland was committed and dedicated to her family; she will be remembered for this, as well as for her infectious laughter and her love of travel; and

WHEREAS, when her daughter, Patricia, passed, Mrs. Strickland became the legal guardian of her granddaughter, Tanetshia; and

WHEREAS, in the 1970s Mrs. Strickland joined Hope Community Church currently under the Pastorate of Reverend Steve Epting; she was often recognized as the eldest member of the Church; and

WHEREAS, Mrs. Strickland leaves to cherish her memory the following: five sons, J.B. Green, Moses Green, Oscar (Sonya) Green, Marshall (Ann) Green Haywood (Dorothy) Green; one daughter, Romonia Bowman; one daughter-in-law, Willie Jean Green; two sisters, Dorothy Fitchard and Susie Marie Warren; two sisters-in-law, Minnie Strickland and Helen Binford; 19 grandchildren; 31 great-grandchildren, two great-great-grandchildren; nieces; nephews; cousins; a special friend, Frances Stewart; and a host of relatives and friends.

NOW, THEREFORE, BE IT RESOLVED, that I, Toni Preckwinkle, on behalf of the over 5.4 million residents of Cook County, do hereby express my deepest condolences and most heartfelt sympathy to the family as well as to the many friends and loved ones of Viola Vivian Strickland, and may a suitable copy of this Resolution be tendered to the family of Viola Vivian Strickland, so that her rich legacy may be so honored and ever cherished.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-271
RESOLUTION**

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

WHEREAS, Almighty God in His infinite wisdom, has called a woman of great artistic talent, passion for God, grace and character, Delois Barrett Campbell, from our midst; and

WHEREAS, while in high school, Mrs. Campbell began singing in her Aunt Maddie Bacus' choir at Morning Star Baptist Church Of Chicago and was also a member of the Roberta Martin Singers, a pre-eminent touring gospel group; and

WHEREAS, after this, Mrs. Campbell teamed up with her two younger sisters to form the fabulous gospel trio, the Barrett Sisters; and

WHEREAS, Mrs. Campbell and her sisters, Rodessa Barrett Porter and Billie Barrett GreenBey, were deeply inspirational and renowned for their beautiful harmonies; and

WHEREAS, the Barrett Sisters were a genuine phenomenon in Europe, where they toured over 30 times; and

WHEREAS, additionally, the group continued to perform together, having performed even during this year; and

WHEREAS, Mrs. Campbell was united in holy matrimony to her beloved husband, Reverend Frank Wesley Campbell, who died in 2000; she is survived by two daughters, Dr. Sue B. Campbell-Ladd and Mary A. Campbell, four grandchildren and six great-grandchildren; and

WHEREAS, in losing Mrs. Campbell we have lost a woman of inspirational devotion and musical prowess, who will be missed in the hearts of those whom she touched and loved.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners, on behalf of the more than 5.4 million residents of Cook County, does hereby express its deepest condolences and most heartfelt sympathy to the family as well as to the many friends and loved ones of Delois Barrett Campbell; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to the family of Delois Barrett Campbell so that her rich legacy may be so honored and ever cherished.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-272
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND WILLIAM M. BEAVERS,
JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY,**

**BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
DEBORAH SIMS, PETER N. SILVESTRI, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

HONORING MARY “MAE” ARP COLEMAN ON HER 100TH BIRTHDAY

WHEREAS, Mae was born at home on September 5, 1911 in Chicago, Illinois to Charles and Mary Weiler Arp; and

WHEREAS, Mae is the oldest of eleven children who were all born and raised in Chicago, Illinois; and

WHEREAS, Mae married Joseph “Joe” Coleman on April 21, 1941 at St. Paul’s Church, Chicago, Illinois; and

WHEREAS, they raised their two children, Denise and Terry, in St. Sabina’s Parish, Chicago, Illinois; and

WHEREAS, when Mae and Joe became “empty-nesters” in 1966, they moved to Oak Lawn, Illinois, where Mae has resided since; and

WHEREAS, Mae spends her time knitting and crocheting for her six grandchildren and 13 great-grandchildren; reading the Chicago Tribune every day; walking daily to keep in shape; and never saying no when family and friends invite her to go out; and

WHEREAS, Mae is an equal supporter of both the Cubs and White Sox fan as well as an avid Bears fan; and

WHEREAS, Mae will be celebrating her 100th Birthday with family and friends at the Wilshire Green Clubhouse, Indian Head Park, Illinois, on September 10, 2011.

NOW, THEREFORE, BE IT RESOLVED, the members of the Cook County Board of Commissioners congratulate Mae on her 100th Birthday and wish her many more years of love and laughter; and

BE IT FURTHER RESOVLED, that a suitable copy of this Resolution be spread upon the official proceedings of this body and a suitable copy be prepared for Mrs. Arp Coleman to commemorate this special occasion.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

**11-R-273
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, PRESIDENT TONI PRECKWINKLE,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

WHEREAS, Almighty God in His infinite wisdom has called Judy Hoffman from our midst; and

WHEREAS, Judy Hoffman was the devoted and loving wife of Manny Hoffman, a former elected official and longtime public servant in Chicago’s south suburbs; and

WHEREAS, Judy Hoffman was the devoted mother of Larry, Debbie, and Julie; and

WHEREAS, Judy Hoffman was inducted into the Homewood Hall of Fame for her outstanding work in the community over the course of many decades; and

WHEREAS, Judy Hoffman was the co-chair of Homewood’s Bicentennial Celebration in 1976; and

WHEREAS, Judy Hoffman was co-owner of an insurance agency in Homewood, and was known as an active and successful businesswoman; and

WHEREAS, Judy Hoffman was a great philanthropist, and was widely admired for her support of various charitable causes; and

WHEREAS, all who knew her will attest that Judy Hoffman was a kind and compassionate woman, virtuous of character and gentle in spirit, admired and respected by her many friends and neighbors, and dearly loved by her family.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its deepest condolences and most heartfelt sympathy to the family and many friends of Judy Hoffman, and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the family of Judy Hoffman, that her memory may be so honored and ever cherished.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

**11-R-274
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, PRESIDENT TONI PRECKWINKLE,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH "LIZ" DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

WHEREAS, Almighty God in His infinite wisdom has called Rose M. "Mickey Rose" Nardi from our midst; and

WHEREAS, Mickey Rose Nardi was the loving daughter of the late Michael J. and Elizabeth "Hazel" Nardi; and

WHEREAS, Mickey Rose Nardi was the beloved sister of Frank M. (Sophie) Nardi; and

WHEREAS, Mickey Rose Nardi was the fond niece of the late Frank (Theresa) Nardi, Concetta (Sam) Covelli, Mary (Vic) DiVittorio, Lucy (Frank) Paladino, and the late Michael (Dorothy) Urso, Catherine (James Sr.) Gurgone, Della (Carl) Gianfrancisco, William (Angeline), the late James (Mildred), the late Ben (Margaret), the late Frank Jr. (Chickie), Josephine (and the late William) Parrilli, Richard (the late Connie) and Anthony (the late Fabs) Urso; and

WHEREAS, Mickey Rose Nardi was the fond aunt of Michael J., great cousin and friend to many; and

WHEREAS, Mickey Rose Nardi was a devoted member of Santa Maria Incoronata Club; and

WHEREAS, all who knew her will attest that Mickey Rose Nardi was a kind and compassionate woman, virtuous of character and gentle in spirit, admired and respected by her many friends and neighbors, and dearly loved by her family.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its deepest condolences and most heartfelt sympathy to the family and many friends of Mickey Rose Nardi, and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the family of Rose M. Nardi, that her memory may be so honored and ever cherished.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-275
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, PRESIDENT TONI PRECKWINKLE,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH "LIZ" DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

WHEREAS, Almighty God in His infinite wisdom has called Jeanette M. Caponera from our midst; and

WHEREAS, Jeanette M. Caponera (nee Cassidy) was the beloved wife of Harold J., retired Battalion Chief C. F. D.; and

WHEREAS, Jeanette M. Caponera was the loving mother of Cathy (Archie) Deane, Betty Caponera, John (Yolanda), William, Cindy (Pete Decoste) Caponera and Joanette (Bill) Catino; and

WHEREAS, Jeanette M. Caponera was the dearest grandmother of Ryan (Jason) Bosford, Sean, Charles, Jimmy, Michael, Will and Katie; and

WHEREAS, Jeanette M. Caponera was the devoted daughter of the late James "Red" and Catherine Cassidy; and

WHEREAS, Jeanette M. Caponera was the dear sister of Lila (the late Gene) McElligott, Joan (the late Phil) Doyle, Bill (Bev), Tom (Kathy) and the late Jim (the late Mary) and Bob (Mary Ellen) Cassidy; and

WHEREAS, Jeanette M. Caponera was a member of St. Gabriel's Women's Club, an active member of St. Gabriel's parish and the Canaryville neighborhood and a cherished friend to many; and

WHEREAS, all who knew her will attest that Jeanette M. Caponera was a kind and compassionate woman, virtuous of character and gentle in spirit, admired and respected by her many friends and neighbors, and dearly loved by her family.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its deepest condolences and most heartfelt sympathy to the family and many friends of Jeanette M. Caponera , and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the family of Jeanette M. Caponera, that her memory may be so honored and ever cherished.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-276
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, PRESIDENT TONI PRECKWINKLE,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

WHEREAS, Almighty God in His infinite wisdom has called Jacqueline M. Damato from our midst; and

WHEREAS, Jacqueline M. Damato (nee Turco) devoted and loving wife for 52 years of Frank A. Damato, former Cook County Commissioner and lifelong public servant; and

WHEREAS, Jacqueline M. Damato was the cherished mother of Frank (Antoinette), Lori Monaco and Jack (Cindy) Damato; and

WHEREAS, Jacqueline M. Damato was the precious Nonnie of Anthony Damato, Daniel and Jacqueline Monaco and Frankie Damato; and

WHEREAS, Jacqueline M. Damato was the dear sister of Rosemary Campolattara and fond niece of Theresa Gaughan; and

WHEREAS, all who knew her will attest that Jacqueline M. Damato was a kind and compassionate woman, virtuous of character and gentle in spirit, admired and respected by her many friends and neighbors, and dearly loved by her family.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its deepest condolences and most heartfelt sympathy to the family and many friends of Jacqueline M. Damato, and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the family of Jacqueline M. Damato that her memory may be so honored and ever cherished.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-277
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, PRESIDENT TONI PRECKWINKLE,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH "LIZ" DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

WHEREAS, Almighty God in His infinite wisdom has called Joseph DiPiazza from our midst; and

WHEREAS, Joseph DiPiazza was the beloved husband of Carmela (nee Nicastro); and

WHEREAS, Joseph DiPiazza was the loving father of Gina (Giacomo) Nicastro, Thomas (Laura), Vincenza (Robert) Koch and Joseph DiPiazza, M.D.; and

WHEREAS, Joseph DiPiazza was the beloved son of the late Gaetano and Giuseppina Acquisto DiPiazza; and

WHEREAS, Joseph DiPiazza was the fond Papa of Joseph DiPiazza, Laura (Michael) Vinci, Joseph (Mary) Nicastro, Thomas Nicastro, Stellina (Daniel) Costa, Mark Heneghan, Frank, Angelina and Thomas Koch; and

WHEREAS, Joseph DiPiazza was the great-grandfather of Andrew, Sabrina, Sara Nicastro, Marco and Dominic Vinci; and

WHEREAS, Joseph DiPiazza was the dear brother of the late Salvatore (Rosalina), Benedict (Santina), Rosa (Pietro) Galione and Eugenia (Giovanni) Distefano; and

WHEREAS, all who knew him will attest that Joseph DiPiazza was a kind and compassionate man, virtuous of character and gentle in spirit, admired and respected by his many friends and neighbors, and dearly loved by his family.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its deepest condolences and most heartfelt sympathy to the family and many friends of Joseph DiPiazza, and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the family of Joseph DiPiazza, that his memory may be so honored and ever cherished.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-278
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, PRESIDENT TONI PRECKWINKLE,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH "LIZ" DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

WHEREAS, Almighty God in His infinite wisdom has called Roger Scher from our midst; and

WHEREAS, Roger Scher was the beloved husband of the late Phyllis (nee Eisenberg); and

WHEREAS, Roger Scher was the devoted father of Monty (Cheryl) Scher and Susan (Kenneth) Pearl; and

WHEREAS, Roger Scher was the loving grandfather of Neal Zucker, Jamie (Paul) Drake, John Scher, Melissa (David) Fleisher, Maggie (Brian) Winshall, and Nicole (David) Kaplan, and great-grandfather of eight; and

WHEREAS, Roger Scher was a respected and successful businessman as founder of Rogers Auto Group, Chicago; and

WHEREAS, Roger Scher was a great humanitarian as a member of The Masonic Shrine; and

WHEREAS, all who knew him will attest that Roger Scher was a kind and compassionate man, virtuous of character and gentle in spirit, admired and respected by his many friends and neighbors, and dearly loved by his family.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its deepest condolences and most heartfelt sympathy to the family and many friends of Roger Scher, and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the family of Roger Scher, that his memory may be so honored and ever cherished.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

**11-R-279
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, PRESIDENT TONI PRECKWINKLE,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH "LIZ" DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN**

AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS

WHEREAS, it has come to the attention of the Cook County Board of Commissioners that Ms. Mary “Mae” Arp Coleman will soon celebrate her 100th Birthday; and

WHEREAS, Mae was born in her parents Chicago, Illinois home on September 5, 1911, and was the oldest of eleven children of Charles Arp and Mary Weiler Arp; and

WHEREAS, Mae married Joseph “Joe” Coleman on April 21, 1941 at St. Paul’s Church in Chicago, Illinois; and

WHEREAS, Mae and her husband Joe raised two children, Denise and Terry at St. Sabina’s Parish in Chicago, Illinois and in 1966, Mae and Joe moved to a condo in Oak Lawn when they became “empty-nesters”; and

WHEREAS, Mae still resides in her Oak Lawn condo even after her husband passed away in 1999 and spends her time knitting and crocheting for her 6 grandchildren and 13 great-grandchildren; and

WHEREAS, Mae, who is both a Cubs fan and White Sox fan and avid Bears fan reads the Chicago Tribune everyday and walks to keep in shape and never says no when family and friends invite her to go out; and

WHEREAS, Mae has witnessed monumental events over the course of her lifetime such as: World War I, Russian Revolution, 1917, First Commercial Radio Station, 1920, Era of Depression, 1929-1939, Spanish Civil War, 1936-1939, World War II, 1939-1945, Korean War, 1950-1953, Russian Sputnik, 1957, President Kennedy Assassination, November 1963, First Moon Landing July 20, 1969, Vietnam War, 1965-1973, the dawn of the computer age, and the new Millennium; and

WHEREAS, Mae Coleman will celebrate her 100th Birthday with a reception of family and friends at the Wilshire Green Clubhouse in Indian Head Park, Illinois on September 10, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners does hereby extend its warmest wishes and congratulations to Mae Coleman on the occasion of her 100th Birthday, and join all who have had the pleasure of her friendship in wishing her still more years of good health and richly deserved happiness; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and an official copy of same be presented to Mae Coleman to commemorate this joyous occasion.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

11-R-280

RESOLUTION

Sponsored by

THE HONORABLE JOAN PATRICIA MURPHY, COUNTY COMMISSIONER

Co-Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND WILLIAM M. BEAVERS,
JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI,
DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI
COUNTY COMMISSIONERS**

A RESOLUTION HONORING SGT. MERRILL HEALY, USMC

WHEREAS, Sgt. Merrill Healy of the United States Marine Corps will be honored at a special homecoming celebration and presentation ceremony on September 4, 2011 at the Blarney Stone Restaurant in Oak Forest; and

WHEREAS, Sgt. Merrill Healy grew up in Oak Forest, Illinois, graduated from Oak Forest High School in 2005, attended Moraine Valley Community College, and began apprentice training as a carpenter; and

WHEREAS, Sgt. Merrill Healy strongly felt the call to join the Marines and serve his country and he enlisted in the United States Marine Corps in November 2006; and

WHEREAS, Sgt. Merrill Healy was accepted into the foreign language program in the Marine Corps where he received linguistic training in the Arabic language at the Defense Language Institute Foreign Language Center located in Monterey, California; and

WHEREAS, Sgt. Merrill Healy received his Intel training in Texas, went on to Camp LeJeune, then on to a college in Maryland to learn the Afghanistan language, Pashto, before deploying to Afghanistan on January 18, 2011; and

WHEREAS, Sgt. Merrill Healy returns home from a seven month deployment in Afghanistan where he was a team member of the Radio Battalion, which consists of linguists and signal analysts who identify enemy activity and pass on confirmed hostile intentions to the unit they support; and

WHEREAS, Sgt. Merrill Healy's family will welcome him home; Barb and Bob Huiner of Oak Forest and Merrill & Sandy Healy of Plainfield, Illinois, his three brothers Kyle, Brandon, and Joshua, and his sister Jackie; and

WHEREAS, Sgt. Merrill Healy is a true American military hero who serves with honor and dignity and inspires us all through his selfless commitment to his family and his country.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners does hereby welcome home Sgt. Merrill Healy and thanks him for his extraordinary service and dedication to our country; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to Sgt. Merrill Healy in recognition of his service and sacrifice to a grateful County, State and Nation and that it also be spread upon the official proceedings of this Honorable Body.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President

Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON ROADS AND BRIDGES

September 7, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Sims, Vice Chairman Gorman, Commissioners Beavers, Butler, Collins, Daley, Garcia, Goslin, Murphy, Schneider, Suffredin and Tobolski (12)

Absent: Commissioners Fritchey, Gainer, Reyes, Silvestri and Steele (5)

Ladies and Gentlemen:

Your Committee has considered the bid submitted on the item hereinafter described in accordance with the specifications prepared by John J. Beissel., P.E., Acting Superintendent, County Department of Highways.

Your Committee has considered the communication from John J. Beissel., P.E., Acting Superintendent, County Department of Highways, submitting recommendations on the award of a contract for said item, and recommends that the contract be, upon the adoption of this Report, awarded as follows:

BID AWARD

Electrical and Mechanical Item Maintenance
Various locations throughout Cook County
Section 12-8EMIM-40-GM
MF Account #600-600
Meade Electric Company, Inc.
Fiscal Impact - \$2,477,924.32

Vice Chairman Gorman, seconded by Commissioner Murphy, moved to Approve the above Bid Award. The motion carried.

Vice Chairman Gorman moved to adjourn. Seconded by Commissioner Murphy, the motion carried and the meeting was adjourned.

Respectfully submitted,

COMMITTEE ON ROADS AND BRIDGES

DEBORAH SIMS, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Sims, seconded by Commissioner Gorman, moved that the Report of the Committee on Zoning and Building be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON ZONING AND BUILDING

September 7, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Silvestri, Vice Chairman Murphy, Commissioners Beavers, Butler, Collins, Daley, Garcia, Gorman, Goslin, Sims, Suffredin and Tobolski (12)

Absent: Commissioners Fritchey, Gainer, Reyes, Schneider and Steele (5)

Ladies and Gentlemen:

Your Committee on Zoning and Building, having had under consideration the matter hereinafter mentioned, respectfully reports and recommends as follows:

The Zoning and Building Poll regarding Communication No. 314389, Docket #8751 – M. Spirakis, Owner, and dated August 8, 2011, was previously approved on August 10, 2011. In accordance with the Rule 4-2(c), the vote on the poll taken on August 10, 2011 is as follows: 17 Yeas, 0 Nays.

314389 DOCKET #8751 – M. SPIRAKIS, Owner, Application (No. V-11-33): Variation to reduce right interior side yard setback from 15 feet to 8 feet for replacement of above ground pool in the R-4 Single Family Residence District. The subject property consists of approximately 0.25 of an acre, located on the east side of Paw Paw Avenue, approximately 332 feet south of Meade Avenue in Orland Township, County Board District #17.
Recommendation: That the application be granted.

Conditions: None

Objectors: None

***Previously approved by poll on 08/10/11.**

Commissioner Gorman, seconded by Vice Chairman Murphy, moved to Ratify the Poll Contained in Communication No. 314389. The motion carried.

VARIATIONS

303842 DOCKET #8600 – M. MARCHESE, Owner, Application (No. V-09-83): Variation to increase height of fence in front yard from 3 feet to 6 feet (existing) for fence and gate in the R-4 Single Family Residence District. The subject property consists of approximately 0.14 of an acre, located on the east side of Park Street, approximately 200 feet south of Morse Street Schaumburg Township, County Board District #15. **Recommendation: That the application be granted two one-year extensions of time.**

Conditions: None

Objectors: None

Vice Chairman Murphy, seconded by Commissioner Tobolski, moved to Concur with the Recommendations of the Zoning Board of Appeals for Communication No. 303842. The motion carried.

314387 DOCKET #8746 – D. SEITZ, Owner, Application (No. V-11-31): Variation to reduce right side yard setback from 15 feet to 11 feet (existing); reduce left side yard setback from 15 feet to 7 feet (existing); and reduce distance between principal and accessory from 10 feet to 7 feet for a garage addition in the R-4 Single Family Residence District. The subject property consists of approximately 0.69 of an acre, located on the east side of Monitor Avenue, approximately 400 feet north of 129th Street in Worth Township, County Board District #6. Recommendation: That the application be granted.

Conditions: None

Objectors: None

Vice Chairman Murphy, seconded by Commissioner Tobolski, moved to Concur with the Recommendations of the Zoning Board of Appeals for Communication No. 314387. The motion carried.

314388 DOCKET #8750 - K. OBROCHTA, Owner, Application (No. V-11-32): Variation to increase height of fence in front yard from 3 feet to 5 feet and 5 inches in the R-5 Single Family Residence District. The subject property consists of approximately 0.15 of an acre, located on the north side of 74th Place, approximately 126 feet west of Nottingham Drive in Stickney Township, County Board District #11. **Recommendation: That the application be granted.**

Conditions: None

Objectors: None

Vice Chairman Murphy, seconded by Commissioner Tobolski, moved to Concur with the Recommendations of the Zoning Board of Appeals for Communication No. 314388. The motion carried.

314390 DOCKET #8752- J. KHAMO, Owner, Application (No. V-11-34): Variation to increase height of pillars in front yard from 3 feet to 4 feet and 8 inches (existing); reduce right

interior side yard setback from 15 feet to 2 feet (existing); and reduce rear yard setback from 40 feet to 33 feet (existing) for setback compliance of principal, shed and pillars in the R-5 Single Family Residence District. The subject property consists of approximately 0.23 of an acre, located on the northeast corner of Elmdale Road and Central Road in Northfield Township, County Board District #14. **Recommendation: That the application be granted.**

Conditions: None

Objectors: None

Vice Chairman Murphy, seconded by Commissioner Tobolski, moved to Concur with the Recommendations of the Zoning Board of Appeals for Communication No. 314390. The motion carried.

312087 DOCKET #8729 RUBEN RODRIGUEZ, Owner, Application (No. SU-11-04; Z11020). Submitted by Andrea M. Duron, 1735 North Ashland Avenue, #202, Chicago, Illinois 60622. Seeking a SPECIAL USE, UNIQUE USE in the R-5 Single Family Residence District to allow continued use of the existing building as a two dwelling unit in Section 09 of Stickney Township. Property consists of approximately 0.09 of an acre located on the east side of Lockwood Avenue approximately 269.8 feet north of West 49th Street in Stickney Township. Intended use: For continued use of multi family dwelling with two (2) apartments. **Recommendation: That the application be granted.**

Commissioner Beavers, seconded by Vice Chairman Murphy, moved to Concur with the Recommendations of the Zoning Board of Appeals for Communication No. 312087. The motion carried.

**11-O-74
ORDINANCE**

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

**AN ORDINANCE GRANTING A SPECIAL USE
FOR UNIQUE USE LOCATED IN STICKNEY TOWNSHIP
AS AUTHORIZED BY THE COOK COUNTY ZONING ORDINANCE**

WHEREAS, the owner of certain property located in Stickney Township described in Section 1, herein, has petitioned the Cook County Board of Commissioners for a Special Use for Unique Use in the R-5 Single Family District; and

WHEREAS, the said petition was received by the Zoning Board of Appeals of Cook County as Docket #8729 and a public hearing was held in regards to said request after due notice, all in accordance with the Cook County Zoning Ordinance and the Statutes of the State of Illinois; and

WHEREAS, the Zoning Board of Appeals entered detailed findings in accordance with the standards set forth in the Ordinance recommending that Cook County Board of Commissioners grant, with conditions, the said application for Special Use for Unique Use permit; and

WHEREAS, it is the determination of the Board of Commissioners of Cook County that the said request be granted, in accordance with the recommendations of the Zoning Board of Appeals.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Cook County, Illinois:

Section 1: That the following described property be granted a Special Use for Unique Use in the R-5 Single Family District, for a continued use of an existing building as a two dwelling unit in Section 09 of Stickney Township.

LEGAL DESCRIPTION

Lot 30 in block 4 in the resubdivision of blocks 1-8 (except in Lot 4 in block 3 and lot 3 in block 8) in Arda, a subdivision of lots 2, 3, 4 and 5 in Snyder's Subdivision of East 1/2 of NW 1/4 of Section 9, Township 38 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

commonly described as approximately 0.09 acre, located on the East side of Lockwood Avenue, approximately 269.8 feet North of West 49th Street in Stickney Township

Section 2: That the Special Use for Unique Use located in the R-5 Single Family District, as mentioned in Section 1 of this Ordinance is hereby being granted with the following conditions:

Section 3: That this Ordinance under the provision of Article 13.8.9 and Article 8.9.8 of the Cook County Zoning Ordinance shall be in full force and effect from and after its passage and approval, except that if said use is not established within one year as provided in Article 13.8.14 said Special Use for Unique Use shall be null and void. That said property be developed and constructed pursuant to the detailing set forth in the testimony and contained in the exhibits and findings of Cook County Zoning Board of Appeals hereby incorporated by reference into this ordinance, as provided by law.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313604 AMENDMENT TO THE COOK COUNTY ZONING ORDINANCE (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Gregg Goslin, County Commissioner.

PROPOSED ORDINANCE AMENDMENT

AMENDMENT TO THE COOK COUNTY ZONING ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners that Appendix A Zoning, Article 14, Section 2 of the Cook County Code is hereby amended as follows:

Sec. 14.2. Definitions

Home occupation. A "home occupation" is an occupation or profession, practiced by a member of the family residing on the premises, and which occupation is clearly incidental and secondary to the residential use of the dwelling provided that:

- A. No more than 15 percent of the total floor area of any one story is used to store commodity intended for sale or use elsewhere is stored on the premises;
- B. No more than one person is either employed, or serves as an independent contractor other than members of the family residing on the premises;
- C. No mechanical or electrical equipment is used, except such as is permissible for purely domestic or household purposes;
- D. No accessory building is used for such home occupation purposes;
and
- E. No more than 25 percent of the total floor area of any one story is used for home occupation purposes.

The residence of a professional person may be used by that professional for consultation, emergency treatment of performance of religious rites.

Commissioner Goslin, seconded by Commissioner Suffredin, moved to Accept the Substitute Ordinance Amendment. The motion carried.

SUBSTITUTE ORDINANCE AMENDMENT FOR COMMUNICATION NO. 313604

AMENDMENT TO THE COOK COUNTY ZONING ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners that Appendix A - Zoning, Article 14, Section 2 of the Cook County Code is hereby amended as follows:

Sec. 14.2. Definitions

Home occupation. A "home occupation" is an occupation or profession, practiced by a member of the family residing on the premises, and which occupation is clearly incidental and secondary to the residential use of the dwelling provided that:

- A. No more than 15 percent of the total floor area of ~~any~~ one story is used to store commodity intended for sale or use elsewhere ~~is stored on the premises~~;
- B. No more than one person is either employed, or serves as an independent contractor other than members of the family residing on the premises;
- C. No mechanical or electrical equipment is used, except such as is permissible for purely domestic or household purposes;
- D. No accessory building is used for such home occupation purposes; and
- E. No more than 25 percent of the total floor area of ~~any~~ one story is used for home occupation purposes.

The residence of a professional person may be used by that professional for consultation, emergency treatment of performance of religious rites.

Commissioner Goslin, seconded by Vice Chairman Murphy, moved the Approval of the Substitute Ordinance Amendment. The motion carried.

**11-O-75
ORDINANCE**

Sponsored by

THE HONORABLE GREGG GOSLIN, COUNTY COMMISSIONER

AMENDMENT TO THE COOK COUNTY ZONING ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners that Appendix A - Zoning, Article 14, Section 2 of the Cook County Code is hereby amended as follows:

Sec. 14.2. Definitions

Home occupation. A "home occupation" is an occupation or profession, practiced by a member of the family residing on the premises, and which occupation is clearly incidental and secondary to the residential use of the dwelling provided that:

- A. No more than 15 percent of the total floor area of one story is used to store commodity intended for sale or use elsewhere;
- B. No more than one person is either employed, or serves as an independent contractor other than members of the family residing on the premises;
- C. No mechanical or electrical equipment is used, except such as is permissible for purely domestic or household purposes;
- D. No accessory building is used for such home occupation purposes; and
- E. No more than 25 percent of the total floor area of one story is used for home occupation purposes.

The residence of a professional person may be used by that professional for consultation, emergency treatment of performance of religious rites.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

NEW APPLICATIONS

314391 ELGIN, JOLIET AND EASTERN RAILWAY COMPANY, Owner, 17641 South Ashland Avenue, Homewood, Illinois 60430, Application (No. SU-11-12; Z11052). Submitted by Anthony S. Pakeltis, 10 South Riverside Plaza, Suite 400, Chicago, Illinois 60606. Seeking a SPECIAL USE, UNIQUE USE in the R-3 Single Family Residence District for construction of a noise abatement wall that due to site elevations will be up to 18 feet in

height above existing ground in Section 09 of Hanover Township. Property consists of approximately 4.344 acres located on the south side of Shoe Factory Road approximately 1,617.27 feet east of McDonough Road in Hanover Township, County Board District #15. Intended use: To provide for rail transportation and to screen residents from rail traffic noise.

Commissioner Goslin, seconded by Commissioner Gorman, moved to Refer the Application Contained in Communication No. 314391 to the Zoning Board of Appeals. The motion carried.

314392 DOUGLAS H. NAAL TRUST AND ESTATE OF MARIJEAN NAAL SCHULTZ, Owner, 3252 Landwehr Road, Northbrook, Illinois 60062 and 216 Pleasant Hill Road, Flanders, New Jersey 07836, Application (No. SU-11-11; Z11041). Submitted by Scott Nierman, Attorney for Trust and Estate. Seeking a SPECIAL USE, in the R-3 Single Family Residence District for subdivision of existing 1.66 acres property into two single family parcels, one conforming to the R-3 requirements and one not-conforming to the R-3 requirements and parcel environmentally sensitive in Section 29 of Northfield Township. Property consists of approximately 1.66 acres located on the east side of overland pass approximately 442.73 feet west of Landwehr Road in Northfield Township, Cook County Board District #14. Intended use: One (1) existing accessory detached shed to be demolished and future small frame shed.

Commissioner Goslin, seconded by Commissioner Gorman, moved to Refer the Application Contained in Communication No. 314392 to the Zoning Board of Appeals. The motion carried.

Vice Chairman Murphy moved to adjourn. Seconded by Commissioner Garcia, the motion carried and the meeting was adjourned.

Respectfully submitted,

COMMITTEE ON ZONING AND BUILDING

PETER N. SILVESTRI, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Murphy, seconded by Commissioner Reyes, moved that the Report of the Committee on Zoning and Building be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON FINANCE

September 7, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: President Preckwinkle and Chairman Daley, Vice Chairman Sims, Commissioners Beavers, Butler, Collins, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Suffredin and Tobolski (16)

Absent: Commissioner Steele (1)

Ladies and Gentlemen:

SECTION 1

Your Committee has considered the following court orders submitted by attorneys for payment of expenses and fees billed by said attorneys for representing indigent respondents, or while otherwise acting in the capacity of a court appointed Special State's Attorney.

By adoption of this Committee Report, the Board of Commissioners hereby authorizes and directs the County Comptroller and County Treasurer to issue payments to named claimants in the amounts specified herein.

APPELLATE COURT

- 313934 MICHAEL J. VITALE, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,420.00 attorney fees regarding People of the State of Illinois v. Tiffany S. Trial Court No. 08-JA-458. Appellate Court No. 01-11-1171.
- 313952 STEVEN O. ROSS, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$5,003.10 attorney fees regarding People of the State of Illinois v. T.O. Trial Court No. 05-JA-1198. Appellate Court No. 01-10-2112.
- 313967 THOMAS M. O'CONNELL, Attorney, the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$3,629.14 attorney fees regarding People of the State of Illinois v. Tiffany G. Trial Court No. 04-JA-1551. Appellate Court No. 01-10-0491.
- 313968 THOMAS M. O'CONNELL, Attorney, the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$487.50 attorney fees regarding People of the State of Illinois v. M.N., A.K., D.J. and M.N. Trial Court Nos. 09-JA-1101, 09-JA-1102, 09-JA-1103 and 09-JA-1104. Appellate Court No. 01-10-2208.

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- 313969 THOMAS M. O'CONNELL, Attorney, the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$1,976.36 attorney fees regarding People of the State of Illinois v. Vernetta C. Trial Court Nos. 06-JA-462 and 06-JA-464. Appellate Court No. 01-10-3578.
- 313970 THOMAS M. O'CONNELL, Attorney, the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$1,689.69 attorney fees regarding People of the State of Illinois v. Demida J. Trial Court No. 06-JA-165. Appellate Court No. 01-09-3177.
- 313977 GILBERT C. SCHUMM, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,773.50 attorney fees regarding In the Interest of E.O. Trial Court No. 05-JA-1198. Appellate Court No. 01-10-2112.
- 314009 ANTHONY M. PETRONE, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,511.72 attorney fees regarding People of the State of Illinois v. Donald H. Trial Court No. 07-JA-780. Appellate Court Nos. 01-11-0474 and 01-11-0476 (consolidated).
- 314071 BRUCE H. BORNSTEIN, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,791.00 attorney fees regarding People of the State of Illinois v. John M. and Jessica M. Trial Court No. 10-JA-179. Appellate Court Nos. 01-10-3637 and 01-10-3638 (consolidated).
- 314232 THOMAS J. ESLER, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$1,465.00 attorney fees regarding People of the State of Illinois v. Malcolm B. Trial Court No. 07-JA-0588. Appellate Court No. 01-11-0679.

APPELLATE COURT CASES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$90,133.64
APPELLATE COURT CASES TO BE APPROVED:	\$24,747.01

CRIMINAL DIVISION

- 313908 KIRK WITHERSPOON, Ph.D., Moline, Illinois, presented by Stephen F. Potts, Attorney, submitting an Order of Court for payment of \$4,251.25 expert witness fees for court appointed legal representation of indigent respondent(s), Edward Latko. Case No. 00-CR-80004.
- 313910 ERIC OSTROV, J.D., Ph.D., ABPP, Forensic Psychology Associates, Chicago, Illinois, presented by Giel Stein, Attorney, submitting an Order of Court for payment of \$11,178.00 expert witness fees for court appointed legal representation of indigent respondent(s), Brad Lieberman. Case No. 00-CR-80001.

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- 313911 ERIC OSTROV, J.D., Ph.D., ABPP, Forensic Psychology Associates, Chicago, Illinois, presented by Eric J. Bell, Attorney, submitting an Order of Court for payment of \$1,501.00 expert witness fees for court appointed legal representation of indigent respondent(s), Anthony LePard. Case No. 10-CR-80005.
- 313917 FORENSIC IDENTIFICATION SERVICES, LLC., San Francisco, California, presented by Marie J. Taraska, Attorney, submitting an Order of Court for payment of \$900.00 expert witness fees for court appointed legal representation of indigent respondent(s), Rashard Harris. Case No. 09-CR-5052.
- 313918 INDEPENDENT FORENSICS DNA TESTING & TECHNOLOGIES, Lombard, Illinois, presented by Marie J. Taraska, Attorney, submitting an Order of Court for payment of \$2,000.00 expert witness fees for court appointed legal representation of indigent respondent(s), Rashard Harris. Case No. 09-CR-5052.
- 313933 JOHN C. BENSON, Attorney, submitting an Order of Court for payment of \$8,825.00 attorney fees for court appointed legal representation of indigent respondent(s), Brian Buchanan. Case No. 06-C4-40135.
- 314103 THOMAS J. TYRRELL, Attorney, submitting an Order of Court for payment of \$1,557.50 attorney fees for court appointed legal representation of indigent respondent(s), Enrique Rendon. Case No. 98-CR-80004.
- 314104 QUERREY & HARROW, presented by Daniel P. Duffy, Attorney, submitting an Order of Court for payment of \$16,124.46 attorney fees for court appointed legal representation of indigent respondent(s), Harold Powell. Case No. 00-CR-80003.
- 314105 E. HARDY LEWIS, Blanchard, Miller, Lewis & Isley, P.A., Raleigh, North Carolina, presented by Daniel P. Duffy, Attorney, submitting an Order of Court for payment of \$9,185.00 attorney fees for court appointed legal representation of indigent respondent(s), Harold Powell. Case No. 00-CR-80003-01.
- 314112 EZRA HEMPHILL, Attorney, submitting an Order of Court for payment of \$4,500.00 attorney fees for court appointed legal representation of indigent respondent(s), Brian Buchanan. Case No. 06-C4-40135.
- 314132 LAW OFFICE OF STEVEN H. FINE, presented by Steven H. Fine, Attorney, submitting an Order of Court for payment of \$404.00 attorney fees for court appointed legal representation of indigent respondent(s), Cannan Wilson. Case No. 11-CR-0804803.
- 314152 LAW OFFICES OF CHICAGO-KENT COLLEGE OF LAW, presented by Daniel T. Coyne, Attorney, submitting an Order of Court for payment of \$1,123.75 attorney fees for court appointed legal representation of indigent respondent(s), Lewis Taylor. Case No. 09-CR-02180.

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- 314153 LAW OFFICES OF CHICAGO-KENT COLLEGE OF LAW, presented by Daniel T. Coyne, Attorney, submitting an Order of Court for payment of \$3,085.84 attorney fees for court appointed legal representation of indigent respondent(s), Lee McGee. Case No. 04-CR-30563.
- 314344 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$6,725.00 attorney fees for court appointed legal representation of indigent respondent(s), Rashard Harris. Case Nos. 09-CR-5052, 09-CR-5053 and 09-CR-5054.
- 314346 MARK H. KUSATZKY, Attorney, submitting an Order of Court for payment of \$2,857.50 attorney fees for court appointed legal representation of indigent respondent(s), Stephen Smith. Case No. 05-CR-80005.

CRIMINAL DIVISION CASES APPROVED FISCAL YEAR 2011 TO PRESENT: \$1,080,844.72
CRIMINAL DIVISION CASES TO BE APPROVED: \$74,218.30

DOMESTIC RELATIONS DIVISION

- 313981 ROTMAN & ELOVITZ, LTD., presented by Michael H. Rotman, Attorney, submitting an Order of Court for payment of attorney fees totaling \$784.00 for court appointed legal representation of indigent respondent(s), Josephine A. Eichele. Case No. 98-D3-31336.
- 314306 ARLETTE G. PORTER, Attorney, submitting an Order of Court for payment of \$993.92 attorney fees for court appointed legal representation of indigent respondent(s), Linda Dee. Case No. 95-D-17235.
- 314336 ARLETTE G. PORTER, Attorney, submitting an Order of Court for payment of \$2,814.13 attorney fees for court appointed legal representation of indigent respondent(s), Adriana Garcia. Case No. 06-D-11421.

DOMESTIC RELATIONS DIVISION CASES APPROVED FISCAL YEAR 2011
TO PRESENT: \$33,427.01
DOMESTIC RELATIONS DIVISION CASES TO BE APPROVED: \$4,592.05

CHILD PROTECTION DIVISION

- 313905 RICHARD S. GUTOFF, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$337.50 attorney fees for court appointed legal representation of indigent respondent(s), J. Payton, a minor. Case No. 10-JA-0108.
- 313906 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$543.75 attorney fees for court appointed legal representation of indigent respondent(s), John Smith, Father, re: A. Smith, a minor. Case No. 01-JA-271.
- 313907 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$1,934.75 attorney fees for court appointed legal representation of indigent respondent(s), Shirley Enoch-Hill, Guardian, re: R. Rouse, a minor. Case No. 00-JA-002165.

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- 313909 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$2,556.25 attorney fees for court appointed legal representation of indigent respondent(s), Curtis Jones, Sr., Father, re: the Jones children, minors. Case Nos. 10-JA-01100, 10-JA-01101 and 10-JA-01102.
- 313912 ASHONTA C. RICE, Attorney, submitting an Order of Court for payment of \$6,943.74 attorney fees for court appointed legal representation of indigent respondent(s), Nicole Carter, Mother, re: H. Carter and S. Carter-McCann, minors. Case Nos. 09-JA-995 and 09-JA-996.
- 313914 MICHAEL J. VITALE, Attorney, submitting an Order of Court for payment of \$375.00 attorney fees for court appointed legal representation of indigent respondent(s), Lawrence Thomas, Jr., Father, re: L. Thomas, a minor. Case No. 06-JA-00342.
- 313915 CHRISTINE S. MARSHALL, Attorney, submitting an Order of Court for payment of \$552.50 attorney fees for court appointed legal representation of indigent respondent(s), Kelvin Perry, Father, re: S. Perry, a minor. Case No. 10-JA-031.
- 313916 EUGENIA MILLER GILLESPIE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$207.50 attorney fees for court appointed legal representation of indigent respondent(s), D. Cristobal and M. Romero, minors. Case No. 11-CoAD-132.
- 313919 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$820.00 attorney fees for court appointed legal representation of indigent respondent(s), Tiffany Banks, Mother, re: J. Banks and J. Robinson, minors. Case Nos. 08-JA-35 and 08-JA-36.
- 313920 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$612.50 attorney fees for court appointed legal representation of indigent respondent(s), Alex Bassett, Father, re: A. Willingham, a minor. Case No. 09-JA-802.
- 313921 ELLEN J. MORRIS, Attorney, submitting an Order of Court for payment of \$393.75 attorney fees for court appointed legal representation of indigent respondent(s), Sherme Berry, Mother, re: the Berry, Melvin and Williams children, minors. Case Nos. 08-JA-495, 08-JA-496, 08-JA-497 and 08-JA-498.
- 313922 ELLEN J. MORRIS, Attorney, submitting an Order of Court for payment of \$718.75 attorney fees for court appointed legal representation of indigent respondent(s), Mark Tillis, Father, re: S. Tillis, a minor. Case No. 10-JA-168.
- 313924 SHELDON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$261.25 attorney fees for court appointed legal representation of indigent respondent(s), Ivansi Marrero, Mother, re: the Colon children, minors. Case Nos. 04-JA-1593, 04-JA-1594, 04-JA-1595, 04-JA-1596 and 04-JA-1597.

- 313925 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$600.00 attorney fees for court appointed legal representation of indigent respondent(s), Latisha Jackson, Mother, re: T. Jackson, a minor. Case No. 97-JA-3864.
- 313926 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$1,118.75 attorney fees for court appointed legal representation of indigent respondent(s), Patrick Calvin, Father, re: I. Calvin and S. Williams, minors. Case Nos. 05-JA-1141 and 09-JA-417.
- 313927 STUART JOSHUA HOLT, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,225.00 attorney fees for court appointed legal representation of indigent respondent(s), C. Sostre, a minor. Case No. 02-JA-00603.
- 313928 STUART JOSHUA HOLT, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,150.00 attorney fees for court appointed legal representation of indigent respondent(s), J. Craig, a minor. Case No. 03-JA-1472.
- 313929 DEAN C. MORASK, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,300.00 attorney fees for court appointed legal representation of indigent respondent(s), the Garrett and Taylor children, minors. Case Nos. 01-JA-160, 01-JA-161, 04-JA-740 and 04-JA-917.
- 313930 EZRA HEMPHILL, Attorney, submitting an Order of Court for payment of \$475.00 attorney fees for court appointed legal representation of indigent respondent(s), Ansu Kamara, Father, re: K. Tiedeman, a minor. Case No. 10-JA-581.
- 313931 RANDY CRUMPTON, Attorney, submitting an Order of Court for payment of \$1,050.00 attorney fees for court appointed legal representation of indigent respondent(s), Byron Donaldson, Father, re: the Donaldson children, minors. Case Nos. 08-JA-693 and 09-JA-895.
- 313935 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$1,025.00 attorney fees for court appointed legal representation of indigent respondent(s), Johnnail Craig, Father, re: the Craig children, minors. Case Nos. 07-JA-0402 and 10-JA-0016.
- 313936 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$362.50 attorney fees for court appointed legal representation of indigent respondent(s), Caprise Manney, Mother, re: N. Manney, a minor. Case No. 01-JA-2077.
- 313937 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$200.00 attorney fees for court appointed legal representation of indigent respondent(s), Debra DeLeon, Mother, re: O. Salvador, a minor. Case No. 05-JA-388.
- 313939 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney, submitting an Order of Court for payment of \$431.25 attorney fees for court appointed legal representation of indigent respondent(s), Derek Patterson, Father, re: the Patterson children, minors. Case Nos. 10-JA-907, 10-JA-908 and 10-JA-909.

- 313940 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney, submitting an Order of Court for payment of \$362.50 attorney fees for court appointed legal representation of indigent respondent(s), Fredrick Lewis, Father, re: K. Lewis, a minor. Case No. 10-JA-109.
- 313941 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney, submitting an Order of Court for payment of \$412.50 attorney fees for court appointed legal representation of indigent respondent(s), Araceli Lopez, Mother, re: D. Morales, a minor. Case No. 08-JA-1014.
- 313943 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$830.00 attorney fees for court appointed legal representation of indigent respondent(s), Michael Klinkhammer, Father, re: A. Klinkhammer, a minor. Case No. 10-JA-825.
- 313944 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$540.00 attorney fees for court appointed legal representation of indigent respondent(s), Enanie Lloyd, Father, re: E. Lloyd, a minor. Case No. 08-JA-244.
- 313945 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$660.00 attorney fees for court appointed legal representation of indigent respondent(s), Sylvia Begay, Mother, re: K. Begay, a minor. Case No. 06-JA-690.
- 313946 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$362.50 attorney fees for court appointed legal representation of indigent respondent(s), Thomas Adams, Father, re: A. Nunly, a minor. Case No. 08-JA-290.
- 313947 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$1,012.50 attorney fees for court appointed legal representation of indigent respondent(s), Patricia Jones, Mother, re: A. Jones, a minor. Case No. 02-JA-996.
- 313948 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$470.00 attorney fees for court appointed legal representation of indigent respondent(s), Loretta McQueen, Mother, re: D. McQueen and J. Middleton, minors. Case Nos. 07-JA-968 and 07-JA-969.
- 313949 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$493.75 attorney fees for court appointed legal representation of indigent respondent(s), Tereatha Guy, Mother, re: the Guy and McGowan children, minors. Case Nos. 05-JA-00904, 05-JA-964, 07-JA-00923 and 08-JA-531.
- 313953 DONNA JEAN RAMEY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$756.25 attorney fees for court appointed legal representation of indigent respondent(s), P. Robinson, a minor. Case No. 91-JA-08401.
- 313954 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$1,325.00 attorney fees for court appointed legal representation of indigent respondent(s), Diane Gray, Mother, re: the Cunningham and Gates children, minors. Case Nos. 10-JA-157, 10-JA-158, 10-JA-159, 10-JA-160 and 10-JA-161.

- 313955 RICHARD S. GUTOFF, Attorney, submitting an Order of Court for payment of \$606.25 attorney fees for court appointed legal representation of indigent respondent(s), Aloysius Nlekwa, Father, re: the Tolbert children, minors. Case Nos. 06-JA-00073 and 06-JA-00074.
- 313956 MARV RAIDBARD, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$700.00 attorney fees for court appointed legal representation of indigent respondent(s), T. Jones, a minor. Case No. 10-JA-605.
- 313957 MARV RAIDBARD, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,681.25 attorney fees for court appointed legal representation of indigent respondent(s), A. Cunningham, a minor. Case No. 10-JA-157.
- 313958 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$1,012.50 attorney fees for court appointed legal representation of indigent respondent(s), Darwin Lanza, Father, re: H. Lanza, a minor. Case No. 10-JA-1116.
- 313959 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), Charles Jernigan, Father, re: B. Israel, a minor. Case No. 07-JA-0071.
- 313960 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$775.00 attorney fees for court appointed legal representation of indigent respondent(s), Christine Powers, Mother, re: T. Powers and J. Wodziak, minors. Case Nos. 11-JA-142 and 11-JA-143.
- 313961 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$962.50 attorney fees for court appointed legal representation of indigent respondent(s), Byron Williams, Father, re: J. Williams, a minor. Case Nos. 06-JA-00521.
- 313962 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$687.50 attorney fees for court appointed legal representation of indigent respondent(s), Melvin Booker, Father, re: C. Henderson, a minor. Case Nos. 10-JA-00642.
- 313963 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$800.00 attorney fees for court appointed legal representation of indigent respondent(s), Timothy Taylor, Father, re: T. Taylor, a minor. Case No. 09-JA-01052.
- 313964 LESLIE S. ZUN, MD, Medical Director, Mount Sinai Hospital, Chicago, Illinois, presented by Kent Dean, Attorney, submitting an Order of Court for payment of \$1,575.00 expert witness for court appointed legal representation of indigent respondent(s), Raymond Miller, Father, re: R. Miller, a minor. Case No. 10-JA-01080.
- 313965 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$325.00 attorney fees for court appointed legal representation of indigent respondent(s), Sherman Summerall, Father, re: S. Summerall, a minor. Case No. 07-JA-00144.

- 313971 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$693.75 attorney fees for court appointed legal representation of indigent respondent(s), Melissa Ward, Mother, re: T. Ward, a minor. Case No. 08-JA-66.
- 313973 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,175.00 attorney fees for court appointed legal representation of indigent respondent(s), the Brown, Ponce and Pruitt children, minors. Case Nos. 04-JA-1536, 04-JA-1537, 07-JA-30 and 08-JA-420.
- 313974 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$925.00 attorney fees for court appointed legal representation of indigent respondent(s), B. Brown, a minor. Case No. 06-JA-436.
- 313975 PAUL D. KATZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,525.00 attorney fees for court appointed legal representation of indigent respondent(s), the Arvey and Edwards children, minors. Case Nos. 98-JA-02168, 00-JA-00546 and 02-JA-01638.
- 313976 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$1,850.00 attorney fees for court appointed legal representation of indigent respondent(s), Bob Palese, Father, re: the Palese children, minors. Case Nos. 06-JA-00093 and 06-JA-00095.
- 313992 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for court appointed legal representation of indigent respondent(s), Carlos Munoz, Father, re: C. Munoz-Carpenter, a minor. Case No. 06-JA-350.
- 313993 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$1,162.50 attorney fees for court appointed legal representation of indigent respondent(s), William Colmorgan-Starr, Father, re: S. Colmorgan-Starr, a minor. Case No. 08-JA-00003.
- 313995 DONNA L. RYDER, Attorney, submitting an Order of Court for payment of \$1,823.04 attorney fees for court appointed legal representation of indigent respondent(s), Janet Tiedeman, Mother, re: the Gaytan and Tiedeman children, minors. Case Nos. 10-JA-581, 10-JA-582 and 10-JA-583.
- 313996 DONNA L. RYDER, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$300.00 attorney fees for court appointed legal representation of indigent respondent(s), A. Dodson, a minor. Case No. 93-JA-359.
- 313997 DONNA L. RYDER, Attorney, submitting an Order of Court for payment of \$720.00 attorney fees for court appointed legal representation of indigent respondent(s), Joretha and Nathaniel Kellum, Parents, re: K. Easton-Kellum, a minor. Case No. 10-JA-694.
- 314000 WILLIAM J. MCLAUGHLIN, Attorney, submitting an Order of Court for payment of \$275.00 attorney fees for court appointed legal representation of indigent respondent(s), Beverly Mosby, Mother, re: the Mosby-Williams children, minors. Case Nos. 08-JA-312, 08-JA-313, 08-JA-314 and 08-JA-315.

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- 314001 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$1,475.00 attorney fees for court appointed legal representation of indigent respondent(s), Charles Sartin, Father, re: S. Sartin, a minor. Case No. 02-JA-0718.
- 314002 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$875.00 attorney fees for court appointed legal representation of indigent respondent(s), Alex DiStefano, Father, re: the DiStefano children, minors. Case Nos. 10-JA-00844 and 10-JA-00845.
- 314003 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$500.00 attorney fees for court appointed legal representation of indigent respondent(s), Victor Jones, Father, re: the Jones children, minors. Case Nos. 05-JA-01030, 05-JA-01031, 05-JA-01032 and 05-JA-01033.
- 314004 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$287.50 attorney fees for court appointed legal representation of indigent respondent(s), Elrick Knox, Father, re: E. Knox, a minor. Case No. 07-JA-00808.
- 314005 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$475.00 attorney fees for court appointed legal representation of indigent respondent(s), Sarah Brantley, Mother, re: J. Birth, a minor. Case No. 08-JA-837.
- 314006 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,143.75 attorney fees for court appointed legal representation of indigent respondent(s), T. Wolkow, a minor. Case No. 98-JA-1763.
- 314007 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$1,125.00 attorney fees for court appointed legal representation of indigent respondent(s), Sandra Peters, Mother, re: T. Polk, a minor. Case No. 01-JA-2075.
- 314008 PETER N. RYAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,262.50 attorney fees for court appointed legal representation of indigent respondent(s), O. Culpepper, a minor. Case No. 08-JA-201.
- 314010 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$1,312.50 attorney fees for court appointed legal representation of indigent respondent(s), Steve Weathersby, Father, re: V. Murphy, a minor. Case No. 10-JA-594.
- 314011 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$600.00 attorney fees for court appointed legal representation of indigent respondent(s), Brittany Mott, Mother, re: C. Mott-Boothe, a minor. Case No. 07-JA-903.
- 314012 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$312.50 attorney fees for court appointed legal representation of indigent respondent(s), John Williams, Father, re: J. Gant, a minor. Case No. 08-JA-418.

- 314013 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$1,387.50 attorney fees for court appointed legal representation of indigent respondent(s), Christopher Wright, Father, re: the Langley and Wright children, minors. Case Nos. 07-JA-986, 07-JA-987 and 08-JA-1079.
- 314014 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$650.00 attorney fees for court appointed legal representation of indigent respondent(s), Elsie Subbotin, Mother, re: the Haendle and Subbotin children, minors. Case Nos. 09-JA-856 and 09-JA-857.
- 314016 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), Cleveland Cox, Father, re: T. Cox, a minor. Case No. 06-JA-361.
- 314017 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$287.50 attorney fees for court appointed legal representation of indigent respondent(s), Teodosio Montalvan, Father, re: C. Montalvan, a minor. Case No. 10-JA-00074.
- 314018 RICHARD S. GUTOFF, Attorney, submitting an Order of Court for payment of \$743.75 attorney fees for court appointed legal representation of indigent respondent(s), Michael Pharr, Father, re: G. Walker, a minor. Case No. 10-JA-00269.
- 314019 DOUGLAS J. RATHE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$631.25 attorney fees for court appointed legal representation of indigent respondent(s), the Shaheed children, minors. Case Nos. 07-JA-00089 and 07-JA-00090.
- 314020 CHRISTINE S. MARSHALL, Attorney, submitting an Order of Court for payment of \$465.00 attorney fees for court appointed legal representation of indigent respondent(s), Gerald Scott, Father, re: K. Scott, a minor. Case No. 10-JA-716.
- 314021 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$2,350.00 attorney fees for court appointed legal representation of indigent respondent(s), Noel Garcia, Father, re: the Schultz and Schultz-Garcia children, minors. Case Nos. 04-JA-401, 04-JA-402, 06-JA-13 and 08-JA-360.
- 314022 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$1,260.00 attorney fees for court appointed legal representation of indigent respondent(s), Eriko Donaldson, Mother, re: A. Donaldson, a minor. Case No. 08-JA-0850.
- 314023 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$435.00 attorney fees for court appointed legal representation of indigent respondent(s), Wilhemina Hamilton, Mother, re: B. Carter, a minor. Case No. 09-JA-0115.
- 314024 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$395.00 attorney fees for court appointed legal representation of indigent respondent(s), Tawan Clay, Father, re: G. Clay, a minor. Case No. 04-JA-0708.

- 314025 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$470.00 attorney fees for court appointed legal representation of indigent respondent(s), Ronald Simovic, Father, re: S. Simovic, a minor. Case No. 09-JA-0920.
- 314026 CHRISTINE S. MARSHALL, Attorney, submitting an Order of Court for payment of \$780.00 attorney fees for court appointed legal representation of indigent respondent(s), Charletta Lawson, Mother, re: C. Lewis, a minor. Case No. 10-JA-287.
- 314027 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$960.00 attorney fees for court appointed legal representation of indigent respondent(s), Maria Figueroa, Mother, re: the Figueroa and Robledo children, minors. Case Nos. 04-JA-0561, 04-JA-0563, 04-JA-0564, 04-JA-0565, 04-JA-0566 and 10-JA-0195.
- 314028 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,690.00 attorney fees for court appointed legal representation of indigent respondent(s), Dahleciah Randle, Mother, re: the Randle children, minors. Case Nos. 10-JA-448, 10-JA-449 and 10-JA-450.
- 314029 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$406.25 attorney fees for court appointed legal representation of indigent respondent(s), Renee Butler, Mother, re: T. Carr, a minor. Case No. 01-JA-1030.
- 314030 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$463.75 attorney fees for court appointed legal representation of indigent respondent(s), Javaid Jamal, Father, re: F. Javaid, a minor. Case No. 08-JA-1091.
- 314031 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$956.25 attorney fees for court appointed legal representation of indigent respondent(s), Pablo Garza, Father, re: the Garza children, minors. Case Nos. 09-JA-1063 and 10-JA-616.
- 314032 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$356.25 attorney fees for court appointed legal representation of indigent respondent(s), Vanessa Smith, Mother, re: E. Sneed, a minor. Case No. 02-JA-734.
- 314033 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$2,200.00 attorney fees for court appointed legal representation of indigent respondent(s), Bertha Smith, Mother, re: W. Smith, a minor. Case No. 10-JA-1056.
- 314034 ILDIKO J. BODONI, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$2,618.75 attorney fees for court appointed legal representation of indigent respondent(s), A. Sparkman and A. Starks, minors. Case Nos. 08-JA-0600 and 10-JA-0370.
- 314035 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$725.00 attorney fees for court appointed legal representation of indigent respondent(s), Rosie Guider, Mother, re: M. Guider, a minor. Case No. 08-JA-00515.

- 314036 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$587.50 attorney fees for court appointed legal representation of indigent respondent(s), Ivette Betancourt, Mother, re: the Wood children, minors. Case Nos. 08-JA-00392 and 08-JA-00393.
- 314037 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$857.50 attorney fees for court appointed legal representation of indigent respondent(s), Evans Buckley, Father, re: the Buckley children, minors. Case Nos. 10-JA-699 and 10-JA-700.
- 314038 PAUL S. KAYMAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$987.50 attorney fees for court appointed legal representation of indigent respondent(s), G. Galan, a minor. Case No. 09-JA-01150.
- 314039 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$432.50 attorney fees for court appointed legal representation of indigent respondent(s), Alma Lewis, Mother, re: the Lewis children, minors. Case Nos. 08-JA-997 and 08-JA-998.
- 314040 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for court appointed legal representation of indigent respondent(s), Alan Knox, Father, re: A. Williams, a minor. Case No. 04-JA-00013.
- 314041 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$920.00 attorney fees for court appointed legal representation of indigent respondent(s), Chlemmie Calvin, Mother, re: the Romando children, minors. Case Nos. 98-JA-1209 and 03-JA-421.
- 314042 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney, submitting an Order of Court for payment of \$312.50 attorney fees for court appointed legal representation of indigent respondent(s), Shantiel Thomas, Mother, re: D. Thomas, a minor. Case No. 08-JA-1038.
- 314043 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$237.50 attorney fees for court appointed legal representation of indigent respondent(s), A. Jaudon, a minor. Case No. 11-JA-439.
- 314044 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$812.50 attorney fees for court appointed legal representation of indigent respondent(s), Trent Henley, Father, re: M. Henley, a minor. Case No. 10-JA-1083.
- 314045 DEAN C. MORASK, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,137.50 attorney fees for court appointed legal representation of indigent respondent(s), A. Sellers-Gonzalez, a minor. Case No. 11-JA-133.
- 314046 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$787.50 attorney fees for court appointed legal representation of indigent respondent(s), Angela Banks, Mother, re: the Gaines and Strickland children, minors. Case Nos. 10-JA-253 and 10-JA-254.

- 314047 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$1,562.50 attorney fees for court appointed legal representation of indigent respondent(s), Michele Nusko, Mother, re: E. Nusko, a minor. Case No. 10-JA-1057.
- 314048 LAWRENCE H. NECHELES, Attorney, submitting an Order of Court for payment of \$875.00 attorney fees for court appointed legal representation of indigent respondent(s), Gilberto Castellanos, Father, re: A. Castellanos, a minor. Case No. 10-JA-00615.
- 314049 LAWRENCE H. NECHELES, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$350.00 attorney fees for court appointed legal representation of indigent respondent(s), J. Birth, a minor. Case No. 08-JA-00837.
- 314050 LAWRENCE H. NECHELES, Attorney, submitting an Order of Court for payment of \$400.00 attorney fees for court appointed legal representation of indigent respondent(s), Joseph Monegain, Father, re: M. Thompson, a minor. Case No. 08-JA-00908.
- 314051 LAWRENCE H. NECHELES, Attorney, submitting an Order of Court for payment of \$1,312.50 attorney fees for court appointed legal representation of indigent respondent(s), Shawn Johnson, Father, re: S. Johnson and N. Roberts, minors. Case Nos. 10-JA-246 and 10-JA-247.
- 314052 LAWRENCE H. NECHELES, Attorney, submitting an Order of Court for payment of \$568.21 attorney fees for court appointed legal representation of indigent respondent(s), Latasha Danner, Mother, re: J. Danner, a minor. Case No. 10-JA-00470.
- 314053 LAWRENCE H. NECHELES, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$612.50 attorney fees for court appointed legal representation of indigent respondent(s), the Garza children, minors. Case Nos. 09-JA-1063 and 10-JA-0616.
- 314054 SHERRI WILLIAMS, Attorney, submitting an Order of Court for payment of \$2,187.50 attorney fees for court appointed legal representation of indigent respondent(s), Erick Martin, Father, re: M. Martin, a minor. Case No. 10-JA-00385.
- 314056 SHERRI WILLIAMS, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), Radames Berrios, Father, re: the Berrios children, minors. Case Nos. 10-JA-00284 and 10-JA-00285.
- 314057 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,343.75 attorney fees for court appointed legal representation of indigent respondent(s), the Robinson children, minors. Case Nos. 09-JA-934, 09-JA-935 and 10-JA-113.
- 314058 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,731.25 attorney fees for court appointed legal representation of indigent respondent(s), the Dantzler and Tankson children, minors. Case Nos. 94-JA-6964, 94-JA-6965 and 94-JA-6966.

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- 314059 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$975.00 attorney fees for court appointed legal representation of indigent respondent(s), Andrew Zayas, Father, re: A. Zayas, a minor. Case No. 11-JA-165.
- 314060 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$1,093.75 attorney fees for court appointed legal representation of indigent respondent(s), Karen Kmiecik, Mother, re: L. Loveall, a minor. Case No. 09-JA-594.
- 314062 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,568.75 attorney fees for court appointed legal representation of indigent respondent(s), H. Whitehead-Reynolds, a minor. Case No. 09-JA-171.
- 314063 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$256.25 attorney fees for court appointed legal representation of indigent respondent(s), DeShawna Bellamy, Mother, re: the Bellamy children, minors. Case Nos. 07-JA-451 and 07-JA-452.
- 314064 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$1,250.00 attorney fees for court appointed legal representation of indigent respondent(s), Michael Loveall, Father, re: L. Loveall, a minor. Case No. 09-JA-00594.
- 314065 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$362.50 attorney fees for court appointed legal representation of indigent respondent(s), John Middleton, Father, re: the Middleton and Morris children, minors. Case Nos. 09-JA-98, 09-JA-99, 09-JA-100, 09-JA-101 and 09-JA-102.
- 314066 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$512.50 attorney fees for court appointed legal representation of indigent respondent(s), Joseph Wright, Sr., Father, re: J. Wright, a minor. Case No. 05-JA-754.
- 314067 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$225.00 attorney fees for court appointed legal representation of indigent respondent(s), Lisa Hannun, Guardian, re: G. Galan, a minor. Case No. 09-JA-1150.
- 314068 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$412.50 attorney fees for court appointed legal representation of indigent respondent(s), Antionne Allen, Father, re: T. Griffin, a minor. Case No. 10-JA-00821.
- 314069 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$625.00 attorney fees for court appointed legal representation of indigent respondent(s), Carolyn Suttle Ernest, Mother, re: J. Morrow and D. Suttle, minors. Case Nos. 94-JA-3775 and 10-JA-0371.
- 314070 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$112.50 attorney fees for court appointed legal representation of indigent respondent(s), Deshunn Gilmore, Father, re: the Gilmore children, minors. Case Nos. 08-JA-991, 08-JA-992, 08-JA-993, 08-JA-994 and 08-JA-995.

- 314072 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for court appointed legal representation of indigent respondent(s), Joezena Golatte, Mother, re: the Golatte and Jones children, minors. Case Nos. 09-JA-45 and 09-JA-46 .
- 314073 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for court appointed legal representation of indigent respondent(s), Roger Green, Father, re: A. Green, a minor. Case No. 08-JA-203 .
- 314074 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$325.00 attorney fees for court appointed legal representation of indigent respondent(s), Manuel Brito, Father, re: C. Brito, a minor. Case No. 07-JA-00673 .
- 314075 LAW OFFICE OF ELLEN SIDNEY WEISZ, presented by Ellen Sidney Weisz, Attorney, submitting an Order of Court for payment of \$668.75 attorney fees for court appointed legal representation of indigent respondent(s), Debra Marie Domangue, Mother, re: the Domangue child, a minor. Case No. 05-JA-00453 .
- 314076 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$425.00 attorney fees for court appointed legal representation of indigent respondent(s), Dennis Lee, Father, re: D. Lee, a minor. Case No. 08-JA-01048 .
- 314077 PAUL D. KATZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$275.00 attorney fees for court appointed legal representation of indigent respondent(s), M. Teasley, a minor. Case No. 08-JA-00632 .
- 314078 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$1,062.50 attorney fees for court appointed legal representation of indigent respondent(s), Roberto Silva, Jr., Father, re: A. Halaikah, a minor. Case No. 10-JA-00396 .
- 314079 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$212.50 attorney fees for court appointed legal representation of indigent respondent(s), Derrick Burke, Father, re: D. Jenkins, a minor. Case No. 03-JA-1527 .
- 314080 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$1,494.50 attorney fees for court appointed legal representation of indigent respondent(s), Marlynda Chernesky, Mother, re: I. Chernesky, a minor. Case No. 09-JA-00373 .
- 314081 MAUREEN T. MURPHY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,237.50 attorney fees for court appointed legal representation of indigent respondent(s), A. Bolden, a minor. Case No. 05-JA-00755 .
- 314082 PAUL S. KAROLL, Attorney, submitting an Order of Court for payment of \$750.00 attorney fees for court appointed legal representation of indigent respondent(s), Mary Thomas, Mother, re: A. Arrington, a minor. Case No. 08-JA-304 .

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- 314083 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$225.00 attorney fees for court appointed legal representation of indigent respondent(s), Edwin Rosado, Father, re: E. Rosado, a minor. Case No. 00-JA-545 .
- 314084 GILBERT C. SCHUMM, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,562.50 attorney fees for court appointed legal representation of indigent respondent(s), J. Adams and J. Jones, minors. Case Nos. 08-JA-163 and 08-JA-1126 .
- 314085 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$481.25 attorney fees for court appointed legal representation of indigent respondent(s), John Winn, Jr., Father, re: J. Winn, a minor. Case No. 10-JA-828 .
- 314086 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$600.00 attorney fees for court appointed legal representation of indigent respondent(s), Charles Payne, III, Father, re: the Payne children, minors. Case Nos. 10-JA-838 and 10-JA-839 .
- 314087 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$718.75 attorney fees for court appointed legal representation of indigent respondent(s), Stevie Luckett, Father, re: the Luckett child, a minor. Case No. 08-JA-381.
- 314088 CHRISTINE S. MARSHALL, Attorney, submitting an Order of Court for payment of \$462.50 attorney fees for court appointed legal representation of indigent respondent(s), Terrance Peterson, Father, re: the Peterson children, minors. Case Nos. 08-JA-979 and 08-JA-980.
- 314089 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$1,187.50 attorney fees for court appointed legal representation of indigent respondent(s), Anthony Robinson, Father, re: the Jemison and Walker children, minors. Case Nos. 09-JA-0284, 09-JA-0287 and 09-JA-0288.
- 314090 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$1,056.25 attorney fees for court appointed legal representation of indigent respondent(s), Anthony Robinson, Father, re: the Jemison and Walker children, minors. Case Nos. 09-JA-0284, 09-JA-0287 and 09-JA-0288.
- 314092 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$587.50 attorney fees for court appointed legal representation of indigent respondent(s), Sergio Gutierrez, Father, re: the Gutierrez children, minors. Case Nos. 05-JA-1218 and 05-JA-1219.
- 314093 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$462.50 attorney fees for court appointed legal representation of indigent respondent(s), Madie Burton, Father, re: the Burton children, minors. Case Nos. 10-JA-672 and 10-JA-673.
- 314094 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$287.50 attorney fees for court appointed legal representation of indigent respondent(s), Kari Rado, Mother, re: J. Torres, a minor. Case No. 08-JA-00633.

- 314095 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$925.00 attorney fees for court appointed legal representation of indigent respondent(s), Edward Osiecki, Father, re: J. Robison, a minor. Case No. 95-JA-4913.
- 314096 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$1,997.36 attorney fees for court appointed legal representation of indigent respondent(s), Noe Dominguez Hernandez, Father, re: Y. Bautista and Y. Dominguez, minors. Case Nos. 10-JA-639 and 10-JA-641.
- 314097 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$597.82 attorney fees for court appointed legal representation of indigent respondent(s), Sarah Brink, Mother, re: R. Brink, a minor. Case No. 08-JA-651.
- 314098 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$1,237.50 attorney fees for court appointed legal representation of indigent respondent(s), Mark Lobo, Father, re: Z. Lobo, a minor. Case No. 10-JA-0877.
- 314099 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$512.50 attorney fees for court appointed legal representation of indigent respondent(s), Frank Garcia, Father, re: J. Garcia, a minor. Case No. 07-JA-0964.
- 314100 BRUCE H. BORNSTEIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,525.00 attorney fees for court appointed legal representation of indigent respondent(s), D. Clemons, a minor. Case No. 10-JA-0556.
- 314101 HORACE M. EALY, Attorney, submitting an Order of Court for payment of \$987.50 attorney fees for court appointed legal representation of indigent respondent(s), Dion Cummings, Bruce Hardin and John Nash, Fathers, re: the Enoch and Nash children, minors. Case Nos. 07-JA-971, 07-JA-972, 07-JA-973, 07-JA-974, 07-JA-975, 07-JA-976 and 07-JA-977.
- 314102 EZRA HEMPHILL, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), N. Levy, a minor. Case No. 09-JA-00626.
- 314106 ELIZABETH BUTLER, Attorney, submitting an Order of Court for payment of \$743.75 attorney fees for court appointed legal representation of indigent respondent(s), Anne Saenz, Mother, re: S. Logsdon, a minor. Case No. 10-JA-936.
- 314107 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$487.50 attorney fees for court appointed legal representation of indigent respondent(s), Darius McSwain, Father, re: J. McSwain, a minor. Case No. 08-JA-00178.
- 314108 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$375.00 attorney fees for court appointed legal representation of indigent respondent(s), Rachel Andrews, Mother, re: J. Hall, a minor. Case No. 02-JA-01541.

- 314109 ADAM M. STERN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$987.50 attorney fees for court appointed legal representation of indigent respondent(s), the Allen children, minors. Case Nos. 02-JA-1904 and 02-JA-1906.
- 314110 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for court appointed legal representation of indigent respondent(s), Michelle Wilson, Mother, re: the Wilson children, minors. Case Nos. 03-JA-1466 and 04-JA-648.
- 314111 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$568.75 attorney fees for court appointed legal representation of indigent respondent(s), J. Saunders, a minor. Case No. 07-JA-474.
- 314113 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$700.00 attorney fees for court appointed legal representation of indigent respondent(s), Nathaniel Flowers, Father, re: W. Flowers, a minor. Case No. 08-JA-252.
- 314114 RODNEY W. STEWART, Attorney, submitting an Order of Court for payment of \$1,050.00 attorney fees for court appointed legal representation of indigent respondent(s), Timothy Mullins, Father, re: K. Handford and B. Mullins, minors. Case Nos. 10-JA-042 and 10-JA-043.
- 314116 RODNEY W. STEWART, Attorney, submitting an Order of Court for payment of \$1,068.75 attorney fees for court appointed legal representation of indigent respondent(s), Rodel Delacruz, Father, re: S. Bilgera, a minor. Case No. 10-JA-128.
- 314117 RICHARD S. GUTOFF, Attorney, submitting an Order of Court for payment of \$1,761.18 attorney fees for court appointed legal representation of indigent respondent(s), Joseph Morrow, Father, re: J. Morrow, a minor. Case No. 10-JA-00371.
- 314118 MAUREEN T. MURPHY, Attorney, submitting an Order of Court for payment of \$456.25 attorney fees for court appointed legal representation of indigent respondent(s), Roshanda Pickett and Garrick Sutton, Sr., Parents, re: N. Sutton-Wilson, a minor. Case No. 09-JA-00011.
- 314119 RICHARD S. GUTOFF, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$375.00 attorney fees for court appointed legal representation of indigent respondent(s), D. Thompson, a minor. Case No. 07-JA-00743.
- 314120 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$1,146.25 attorney fees for court appointed legal representation of indigent respondent(s), LaChondra Dotson, Mother, re: E. Smith, a minor. Case No. 06-JA-00345.
- 314121 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$518.75 attorney fees for court appointed legal representation of indigent respondent(s), Perry Lee, Father, re: M. McGee, a minor. Case No. 10-JA-576.

- 314127 DOUGLAS J. RATHE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$481.25 attorney fees for court appointed legal representation of indigent respondent(s), Angel Lebron-Boria, Father, re: A. Lebron-Boria, a minor. Case No. 09-JA-00445.
- 314128 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$645.00 attorney fees for court appointed legal representation of indigent respondent(s), Erica Aviles, Mother, re: A. Aviles and A. Aviles-Fowler, minors. Case Nos. 10-JA-00233 and 10-JA-00234.
- 314129 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$462.50 attorney fees for court appointed legal representation of indigent respondent(s), Arthur Spears, Father, re: D. Howard and J. Taylor, minors. Case Nos. 08-JA-648 and 08-JA-649.
- 314130 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$1,125.00 attorney fees for court appointed legal representation of indigent respondent(s), Shenina Hill, Mother, re: N. Robinson, a minor. Case No. 10-JA-348.
- 314131 MARI-ROSE MCMANUS, Attorney, submitting an Order of Court for payment of \$381.25 attorney fees for court appointed legal representation of indigent respondent(s), Bridgett Boyd, Mother, re: L. Wilson, a minor. Case No. 08-JA-408.
- 314133 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$181.25 attorney fees for court appointed legal representation of indigent respondent(s), Nekethian Johnson, Sr., Father, re: N. Johnson, a minor. Case No. 08-JA-00452.
- 314134 MARI-ROSE MCMANUS, Attorney, submitting an Order of Court for payment of \$343.75 attorney fees for court appointed legal representation of indigent respondent(s), Stormy Kizer, Mother, re: the Clark, Kizer and Robinson children, minors. Case Nos. 09-JA-21, 09-JA-22, 09-JA-23, 09-JA-24 and 09-JA-25.
- 314135 PETER J. WOODS, Attorney, submitting an Order of Court for payment of \$1,335.00 attorney fees for court appointed legal representation of indigent respondent(s), Robert Kirn, Father, re: R. Kirn, a minor. Case No. 11-JA-00160.
- 314136 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$568.75 attorney fees for court appointed legal representation of indigent respondent(s), Maurice Collins, Father, re: the Collins children, minors. Case Nos. 11-JA-00296, 11-JA-00297 and 11-JA-00298.
- 314137 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$2,093.75 attorney fees for court appointed legal representation of indigent respondent(s), Michael Herrera, Sr., Father, re: M. Herrera, a minor. Case No. 10-JA-01087.
- 314138 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$475.00 attorney fees for court appointed legal representation of indigent respondent(s), Michelle Stewart, Mother, re: D. Bell and D. Brown, minors. Case Nos. 03-JA-01102 and 03-JA-01103.

- 314139 DEAN N. BASTOUNES, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$400.00 attorney fees for court appointed legal representation of indigent respondent(s), the Coleman children, minors. Case Nos. 04-JA-00057 and 04-JA-00776.
- 314140 DOUGLAS J. RATHE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$550.00 attorney fees for court appointed legal representation of indigent respondent(s), A. Rodgers, a minor. Case No. 11-JA-00105.
- 314141 SAMUEL N. WARSAWSKY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,075.00 attorney fees for court appointed legal representation of indigent respondent(s), the Brown and Ford children, minors. Case Nos. 06-JA-305, 06-JA-306 and 06-JA-307.
- 314142 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$725.00 attorney fees for court appointed legal representation of indigent respondent(s), Alfred Scott, Father, re: A. Mayes and Q. Scott, minors. Case Nos. 10-JA-0011 and 10-JA-0012.
- 314143 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$2,262.50 attorney fees for court appointed legal representation of indigent respondent(s), Cleopatra Sparkman, Mother, re: A. Sparkman and A. Starks, minors. Case Nos. 08-JA-00600 and 10-JA-00370.
- 314144 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$200.00 attorney fees for court appointed legal representation of indigent respondent(s), Katrina Caldwell, Mother, re: A. Jaudon, a minor. Case No. 11-JA-439.
- 314145 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$500.00 attorney fees for court appointed legal representation of indigent respondent(s), Leroy Striblet, Father, re: D. Striblet, a minor. Case No. 09-JA-1076.
- 314146 MELINDA MACGREGOR, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$487.50 attorney fees for court appointed legal representation of indigent respondent(s), H. Craig, a minor. Case No. 10-JA-501.
- 314147 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$1,000.00 attorney fees for court appointed legal representation of indigent respondent(s), Ramana Peralta, Grandmother, re: R. Soto, a minor. Case No. 10-JA-493.
- 314148 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$1,112.50 attorney fees for court appointed legal representation of indigent respondent(s), Teodoro Suarez, Father, re: the Suarez children, minors. Case Nos. 06-JA-246, 06-JA-247 and 06-JA-248.
- 314149 PATRICK K. SCHLEE, Attorney, submitting an Order of Court for payment of \$612.50 attorney fees for court appointed legal representation of indigent respondent(s), Jose Nieves, Father, re: E. Nieves, a minor. Case No. 10-JA-00494.

- 314151 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$555.00 attorney fees for court appointed legal representation of indigent respondent(s), Eugene Washington, Jr., Father, re: A. Washington, a minor. Case No. 09-JA-741.
- 314154 LAW OFFICE OF ELLEN SIDNEY WEISZ, LTD., presented by Ellen Sidney Weisz, Attorney, submitting an Order of Court for payment of \$262.50 attorney fees for court appointed legal representation of indigent respondent(s), Michael Wolf, Father, re: M. Wolf, a minor. Case No. 99-JA-494.
- 314155 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$887.50 attorney fees for court appointed legal representation of indigent respondent(s), Marcus Funches, Father, re: M. Funches, a minor. Case No. 09-JA-00829.
- 314156 SHERRI WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,187.50 attorney fees for court appointed legal representation of indigent respondent(s), T. Harris, a minor. Case No. 10-JA-00262.
- 314157 SHERRI WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,237.50 attorney fees for court appointed legal representation of indigent respondent(s), K. Wright, a minor. Case No. 10-JA-00596.
- 314158 SHERRI WILLIAMS, Attorney, submitting an Order of Court for payment of \$2,725.00 attorney fees for court appointed legal representation of indigent respondent(s), John Leech, Father, re: the Leech children, minors. Case Nos. 10-JA-930 and 10-JA-931.
- 314160 SHERRI WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$900.00 attorney fees for court appointed legal representation of indigent respondent(s), J. Taylor, a minor. Case No. 10-JA-00603.
- 314161 SHERRI WILLIAMS, Attorney, submitting an Order of Court for payment of \$987.50 attorney fees for court appointed legal representation of indigent respondent(s), Denesha Jeffries, Mother, re: J. Jeffries, a minor. Case No. 10-JA-00702.
- 314162 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$250.00 attorney fees for court appointed legal representation of indigent respondent(s), Michael Washington, Sr., Father, re: the Washington children, minors. Case Nos. 96-JA-911 and 96-JA-912.
- 314163 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$862.50 attorney fees for court appointed legal representation of indigent respondent(s), Willie Mullen, Father, re: the Mullen children, minors. Case Nos. 08-JA-0065, 08-JA-0098, 08-JA-0099 and 08-JA-0100.
- 314180 ROBERT ARTHUR ROMANOFF, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$398.90 attorney fees for court appointed legal representation of indigent respondent(s), M. Bass, a minor. Case No. 05-JA-0412.

- 314181 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$412.50 attorney fees for court appointed legal representation of indigent respondent(s), Roger Hinton, Father, re: D. Hinton, a minor. Case No. 08-JA-375.
- 314182 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$2,100.00 attorney fees for court appointed legal representation of indigent respondent(s), Toneia Robertson, Mother, re: the Smith children, minors. Case Nos. 08-JA-0229 and 08-JA-0747.
- 314183 STUART JOSHUA HOLT, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$618.75 attorney fees for court appointed legal representation of indigent respondent(s), T. Allen, a minor. Case No. 07-JA-00513.
- 314184 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$962.50 attorney fees for court appointed legal representation of indigent respondent(s), Heber Gomez, Father, re: J. Gomez, a minor. Case No. 09-JA-1088.
- 314185 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$975.00 attorney fees for court appointed legal representation of indigent respondent(s), William Hudson, Father, re: A. Hudson, a minor. Case No. 05-JA-1139.
- 314188 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,801.25 attorney fees for court appointed legal representation of indigent respondent(s), Danyell Johnson, Father, re: the Johnson children, minors. Case Nos. 08-JA-0006 and 08-JA-0007.
- 314189 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$762.50 attorney fees for court appointed legal representation of indigent respondent(s), Darin Gater, Father, re: A. Gater, a minor. Case No. 11-JA-356.
- 314190 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$193.75 attorney fees for court appointed legal representation of indigent respondent(s), Lisa Taylor, Mother, re: S. Brown and A. Taylor, minors. Case Nos. 09-JA-228 and 09-JA-229.
- 314191 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,620.00 attorney fees for court appointed legal representation of indigent respondent(s), Stevie Gibbs, Father, re: S. Gibbs, a minor. Case No. 10-JA-588.
- 314192 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,657.50 attorney fees for court appointed legal representation of indigent respondent(s), Jimmy Chancellor, Father, re: the Chancellor and Long children, minors. Case Nos. 07-JA-0311, 07-JA-0312 and 08-JA-987.
- 314193 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,175.00 attorney fees for court appointed legal representation of indigent respondent(s), David Scott, Father, re: D. Anderson-Scott, a minor. Case No. 10-JA-511.

- 314194 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$206.25 attorney fees for court appointed legal representation of indigent respondent(s), Reginald Harris, Father, re: the Richmond children, minors. Case Nos. 09-JA-1110, 09-JA-1111, 09-JA-1112 and 09-JA-1113.
- 314196 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$562.50 attorney fees for court appointed legal representation of indigent respondent(s), Gary Nelson, Father, re: the Clancy and Nelson children, minors. Case Nos. 09-JA-542, 09-JA-543 and 10-JA-359.
- 314224 EZRA HEMPHILL, Attorney, submitting an Order of Court for payment of \$387.50 attorney fees for court appointed legal representation of indigent respondent(s), Percy McClellan, Father, re: the McClellan children, minors. Case Nos. 09-JA-599 and 09-JA-600.
- 314230 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$270.00 attorney fees for court appointed legal representation of indigent respondent(s), Ashnah Hopkins, Father, re: A. Hopkins, a minor. Case No. 08-JA-999.
- 314231 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), Anthony Thomas, Father, re: T. Burks, a minor. Case No. 08-JA-317.
- 314233 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$1,225.00 attorney fees for court appointed legal representation of indigent respondent(s), Hollie Arreguin, Mother, re: the Arreguin children, minors. Case Nos. 09-JA-00849, 10-JA-00212 and 10-JA-00213.
- 314234 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for court appointed legal representation of indigent respondent(s), Eliseo Argueta, Father, re: the Argueta children, minors. Case Nos. 09-JA-00548 and 09-JA-00585.
- 314235 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$2,037.50 attorney fees for court appointed legal representation of indigent respondent(s), Bruce Ivan, Father, re: T. Laluntas-Ivan, a minor. Case No. 04-JA-01098.
- 314236 CHRISTINE S. MARSHALL, Attorney, submitting an Order of Court for payment of \$1,450.00 attorney fees for court appointed legal representation of indigent respondent(s), Charletta Lawson, Mother, re: the Isaac, Lawson and Turner children, minors. Case Nos. 06-JA-238, 06-JA-239 and 06-JA-240.
- 314238 SHELDON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$1,776.25 attorney fees for court appointed legal representation of indigent respondent(s), Jorge Salgado, Sr., Father, re: the Salgado children, minors. Case Nos. 10-JA-952 and 10-JA-953.

- 314243 SHELTON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$467.50 attorney fees for court appointed legal representation of indigent respondent(s), Sara Hogan, Mother, re: C. Hogan, a minor. Case No. 10-JA-0054.
- 314244 SHELTON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$625.00 attorney fees for court appointed legal representation of indigent respondent(s), Jonathon Reedy, Father, re: E. Reedy, a minor. Case No. 11-JA-00129.
- 314245 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$1,135.00 attorney fees for court appointed legal representation of indigent respondent(s), Rachael Teague, Mother, re: D. Merritt and R. Teague, minors. Case Nos. 08-JA-0749 and 08-JA-0750.
- 314246 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$355.00 attorney fees for court appointed legal representation of indigent respondent(s), John Orsi, Father, re: C. Gromala, a minor. Case No. 02-JA-01851.
- 314247 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$305.00 attorney fees for court appointed legal representation of indigent respondent(s), Robert Skinner, Father, re: R. Skinner, a minor. Case No. 04-JA-0487.
- 314249 THOMAS J. ESLER, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$975.00 attorney fees for court appointed legal representation of indigent respondent(s), the Collier, Elam and Morris children, minors. Case Nos. 06-JA-0462, 06-JA-0463, 06-JA-0464 and 10-JA-0056.
- 314250 THOMAS J. ESLER, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$725.00 attorney fees for court appointed legal representation of indigent respondent(s), D. Gillkey, a minor. Case No. 07-JA-0878.
- 314251 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), David Proctor, Father, re: A. McPeters, a minor. Case No. 10-JA-01095.
- 314262 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$1,747.92 attorney fees for court appointed legal representation of indigent respondent(s), Keisha Henderson, Mother, re: the Henderson-Page children, minors. Case Nos. 08-JA-1061 and 08-JA-1111.
- 314263 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$437.50 attorney fees for court appointed legal representation of indigent respondent(s), the Dean children, minors. Case Nos. 09-JA-987, 09-JA-988 and 09-JA-989.
- 314264 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$568.75 attorney fees for court appointed legal representation of indigent respondent(s), N. Hernandez, a minor. Case No. 04-JA-1523.
- 314265 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$306.25 attorney fees for court appointed legal representation of indigent respondent(s), Cynetha Baker, Mother, re: D. Baker, a minor. Case No. 98-JA-4300.

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- 314266 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$2,593.75 attorney fees for court appointed legal representation of indigent respondent(s), the Russell and Vivians children, minors. Case Nos. 05-JA-945, 09-JA-65 and 11-JA-310.
- 314267 THEODORE J. ADAMS, Attorney, submitting an Order of Court for payment of \$875.00 attorney fees for court appointed legal representation of indigent respondent(s), Alma Patino, Mother, re: D. Sadygov and A. Shubitidize, minors. Case Nos. 10-JA-967 and 10-JA-968.
- 314268 THEODORE J. ADAMS, Attorney, submitting an Order of Court for payment of \$727.50 attorney fees for court appointed legal representation of indigent respondent(s), Martino Smith, Father, re: M. Smith, a minor. Case No. 10-JA-1115.
- 314272 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$500.00 attorney fees for court appointed legal representation of indigent respondent(s), Robert Schutzius, Father, re: C. Schutzius, a minor. Case No. 08-JA-00475.
- 314274 MICHAEL G. CAWLEY, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), Bartholomew Moleski, Father, re: B. Moleski-Turus and M. Turus, minors. Case Nos. 10-JA-94 and 10-JA-95.
- 314277 MICHAEL G. CAWLEY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$975.00 attorney fees for court appointed legal representation of indigent respondent(s), the Johnson, Simmons and Wysinger children, minors. Case Nos. 09-JA-28, 09-JA-29, 09-JA-30 and 10-JA-634.
- 314278 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$510.00 attorney fees for court appointed legal representation of indigent respondent(s), Richard Ferguson, Father, re: D. Ferguson, a minor. Case No. 09-JA-1130.
- 314279 JAMES S. WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$197.50 attorney fees for court appointed legal representation of indigent respondent(s), W. Holt, a minor. Case No. 98-JA-4219.
- 314280 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$427.50 attorney fees for court appointed legal representation of indigent respondent(s), Sara Stokes, Guardian, re: J. Stokes, a minor. Case No. 98-JA-513.
- 314281 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$325.00 attorney fees for court appointed legal representation of indigent respondent(s), Curtis Edwards, Father, re: D. Mills, a minor. Case No. 09-JA-294.
- 314284 HORACE M. EALY, Attorney, submitting an Order of Court for payment of \$562.50 attorney fees for court appointed legal representation of indigent respondent(s), Tremaine Holmes, Sr., Father, re: T. Holmes, a minor. Case No. 09-JA-00876.

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- 314285 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$250.00 attorney fees for court appointed legal representation of indigent respondent(s), Erica Cage, Mother, re: J. Cage, a minor. Case No. 10-JA-90.
- 314286 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$700.00 attorney fees for court appointed legal representation of indigent respondent(s), Nicole Mahone, Mother, re: the Redmond and Taylor children, minors. Case Nos. 05-JA-00662, 05-JA-00663, 09-JA-00442, 09-JA-00443, 09-JA-00444 and 10-JA-00603.
- 314287 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$162.50 attorney fees for court appointed legal representation of indigent respondent(s), Andrew Lee, Father, re: the Williams children, minors. Case Nos. 95-JA-004781 and 95-JA-004782.
- 314288 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$550.00 attorney fees for court appointed legal representation of indigent respondent(s), Christopher Swiatek, Sr., Father, re: C. Swiatek, a minor. Case No. 06-JA-00863.
- 314289 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$750.00 attorney fees for court appointed legal representation of indigent respondent(s), Mary Clanders, Guardian, re: the Spiller children, minors. Case Nos. 02-JA-233 and 02-JA-234.
- 314290 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for court appointed legal representation of indigent respondent(s), Sharon Ellis, Mother, re: the Ellis children, minors. Case Nos. 08-JA-1027 and 08-JA-1028.
- 314291 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$706.25 attorney fees for court appointed legal representation of indigent respondent(s), Terry Gaston, Father, re: the Henderson children, minors. Case Nos. 09-JA-01058, 09-JA-01059 and 09-JA-01060.
- 314292 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$318.75 attorney fees for court appointed legal representation of indigent respondent(s), Desiree Ruffalo, Mother, re: G. Cosenza, a minor. Case No. 97-JA-01390.
- 314293 CHRISTIAN S. COLLIN, Attorney, submitting an Order of Court for payment of \$187.50 attorney fees for court appointed legal representation of indigent respondent(s), Lucero Diaz, Mother, re: L. Diaz and A. Scales, minors. Case Nos. 07-JA-578 and 07-JA-579.
- 314294 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$187.50 attorney fees for court appointed legal representation of indigent respondent(s), Lunsford Hale, Sr., Father, re: K. Harris, a minor. Case No. 94-JA-01078.
- 314295 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$1,012.50 attorney fees for court appointed legal representation of indigent respondent(s), Jomo Burks, Father, re: D. Burks, a minor. Case No. 10-JA-1018.
- 314296 CHRISTIAN S. COLLIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$462.50 attorney fees for court appointed legal representation of indigent respondent(s), C. Blythe, a minor. Case No. 08-JA-00195.

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- 314297 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$500.00 attorney fees for court appointed legal representation of indigent respondent(s), Ernie Davis, Father, re: B. Haynes, a minor. Case No. 02-JA-00257.
- 314298 DEAN N. BASTOUNES, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$456.25 attorney fees for court appointed legal representation of indigent respondent(s), the Wright children, minors. Case Nos. 09-JA-01120 and 09-JA-01121.
- 314299 CHRISTIAN S. COLLIN, Attorney, submitting an Order of Court for payment of \$612.00 attorney fees for court appointed legal representation of indigent respondent(s), Robert Largent, Father, re: F. Largent, a minor. Case No. 09-JA-823.
- 314300 CHRISTIAN S. COLLIN, Attorney, submitting an Order of Court for payment of \$504.00 attorney fees for court appointed legal representation of indigent respondent(s), Prince Pringle, Father, re: A. Smith, a minor. Case No. 08-JA-368.
- 314301 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$487.50 attorney fees for court appointed legal representation of indigent respondent(s), Patricia Major, Mother, re: S. Major, a minor. Case No. 07-JA-00769.
- 314302 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$437.50 attorney fees for court appointed legal representation of indigent respondent(s), John Velez, Father, re: J. Velez, a minor. Case No. 10-JA-00513.
- 314303 PAUL D. KATZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$637.50 attorney fees for court appointed legal representation of indigent respondent(s), D. Washington, a minor. Case No. 09-JA-00217.
- 314304 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$2,600.00 attorney fees for court appointed legal representation of indigent respondent(s), Abraham Contreras, Father, re: C. Contreras, a minor. Case No. 08-JA-1096.
- 314305 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$556.25 attorney fees for court appointed legal representation of indigent respondent(s), Gus Swift, Father, re: the Swift children, minors. Case Nos. 11-JA-00452 and 11-JA-00453.
- 314307 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$3,025.00 attorney fees for court appointed legal representation of indigent respondent(s), Hugo Dominguez, Father, re: the Dominguez children, minors. Case Nos. 11-JA-109 and 11-JA-111.

- 314308 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$750.00 attorney fees for court appointed legal representation of indigent respondent(s), Marco Gresham, Father, re: the Gresham and Wilson children, minors. Case Nos. 06-JA-25, 07-JA-101 and 10-JA-1000.
- 314309 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$2,912.50 attorney fees for court appointed legal representation of indigent respondent(s), Kenneth Johnson, Father, re: K. Gaddis, a minor. Case No. 09-JA-0782.
- 314310 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$1,000.00 attorney fees for court appointed legal representation of indigent respondent(s), Trina Stanil, Mother, re: the Alpuche, Davis and Moore children, minors. Case Nos. 01-JA-1277, 07-JA-333, 07-JA-334, 08-JA-1117 and 10-JA-436.
- 314311 GREGORY M. BALDWIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$2,637.50 attorney fees for the defense of indigent respondent, R. Cassell, a minor. Case No. 07-JA-0423.
- 314312 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$343.75 attorney fees for court appointed legal representation of indigent respondent(s), Robert Simental, Father, re: G. Hernandez, a minor. Case No. 10-JA-976.
- 314313 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for court appointed legal representation of indigent respondent(s), Aaron Clark, Father, re: the Clark child, a minor. Case No. 09-JA-1015.
- 314314 PAUL D. KATZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$512.50 attorney fees for court appointed legal representation of indigent respondent(s), the Sledge children, minors. Case Nos. 05-JA-00069, 05-JA-00071 and 06-JA-00015.
- 314315 BRIAN M. DANLOE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$418.75 attorney fees for court appointed legal representation of indigent respondent(s), the Crosby child, a minor. Case No. 03-JA-1131.
- 314316 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$452.00 attorney fees for court appointed legal representation of indigent respondent(s), Priscilla Franz, Mother, re: A. Rogers, a minor. Case No. 11-JA-105.
- 314317 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,062.50 attorney fees for court appointed legal representation of indigent respondent(s), N. Finley and S. McDonald, minors. Case Nos. 09-JA-170 and 10-JA-008.
- 314318 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$762.50 attorney fees for court appointed legal representation of indigent respondent(s), Michael McGee, Father, re: the McGee child, a minor. Case No. 10-JA-760.

- 314319 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$150.00 attorney fees for court appointed legal representation of indigent respondent(s), Philip Norman, Father, re: B. Norman, a minor. Case No. 10-JA-255.
- 314320 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$568.75 attorney fees for court appointed legal representation of indigent respondent(s), E. Johnson, a minor. Case No. 10-JA-813.
- 314321 MARV RAIDBARD, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$575.00 attorney fees for court appointed legal representation of indigent respondent(s), the Thompson children, minors. Case Nos. 04-JA-1429 and 04-JA-1430.
- 314322 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$365.00 attorney fees for court appointed legal representation of indigent respondent(s), Arleatha Lewis, Mother, re: R. Robinson and R. Rogers, minors. Case Nos. 07-JA-390 and 07-JA-909.
- 314323 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$487.50 attorney fees for court appointed legal representation of indigent respondent(s), Alicia Zitt, Mother, re: the Ferrell child, a minor. Case No. 09-JA-843.
- 314324 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$747.50 attorney fees for court appointed legal representation of indigent respondent(s), Rhonda Ross, Mother, re: O. Berry, a minor. Case No. 10-JA-1061.
- 314325 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$545.00 attorney fees for court appointed legal representation of indigent respondent(s), Angela Johnican, Mother, re: R. Jackson, a minor. Case No. 08-JA-766.
- 314326 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$473.68 attorney fees for court appointed legal representation of indigent respondent(s), Teosha Ford, Mother, re: the Hardin child, a minor. Case No. 08-JA-115.
- 314327 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$910.00 attorney fees for court appointed legal representation of indigent respondent(s), Jamal Burnett, Sr., Father, re: the Burnett children, minors. Case Nos. 10-JA-299 and 10-JA-300.
- 314328 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$187.50 attorney fees for court appointed legal representation of indigent respondent(s), Tameka Green, Mother, re: the Green children, minors. Case Nos. 07-JA-322 and 07-JA-323.
- 314329 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$265.00 attorney fees for court appointed legal representation of indigent respondent(s), Richard Diaz, Father, re: the Diaz children, minors. Case Nos. 07-JA-546 and 07-JA-547.
- 314330 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$650.00 attorney fees for court appointed legal representation of indigent respondent(s), Dan Lahm, Father, re: J. Lahm, a minor. Case No. 05-JA-1155.

- 314331 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for court appointed legal representation of indigent respondent(s), Edward Butler, Father, re: C. King, a minor. Case No. 06-JA-0032.
- 314332 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$717.50 attorney fees for court appointed legal representation of indigent respondent(s), Michael Huffer, Father, re: M. Tesar, a minor. Case No. 10-JA-81.
- 314333 LAW OFFICE OF ELLEN SIDNEY WEISZ, LTD., presented by Ellen Sidney Weisz, Attorney, submitting an Order of Court for payment of \$418.75 attorney fees for court appointed legal representation of indigent respondent(s), Nneka Alexander, Mother, re: the Hatter children, minors. Case Nos. 00-JA-132, 00-JA-133 and 00-JA-137.
- 314334 MELANIE M. PETTWAY, Attorney, submitting an Order of Court for payment of \$425.00 attorney fees for court appointed legal representation of indigent respondent(s), Ghulam Thomas, Father, re: M. Thomas, a minor. Case No. 11-JA-517.
- 314335 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$612.50 attorney fees for court appointed legal representation of indigent respondent(s), Bernadine Long, Mother, re: R. Long, a minor. Case No. 10-JA-00173.
- 314337 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$897.50 attorney fees for court appointed legal representation of indigent respondent(s), Christina Pollworth, Mother, re: the Pollworth children, minors. Case Nos. 09-JA-00347, 09-JA-00348 and 00-JA-00349.
- 314338 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$731.25 attorney fees for court appointed legal representation of indigent respondent(s), Laveda Dennis, Mother, re: the Dennis children, minors. Case Nos. 09-JA-707 and 10-JA-171.
- 314339 DEAN N. BASTOUNES, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$681.75 attorney fees for court appointed legal representation of indigent respondent(s), A. Jordon, a minor. Case No. 11-JA-00439.
- 314340 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), Martel Willis, Father, re: L. Philpot, a minor. Case No. 10-JA-00730.
- 314341 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$262.50 attorney fees for court appointed legal representation of indigent respondent(s), Kelvin Littles, Father, re: the West children, minors. Case Nos. 10-JA-00538 and 10-JA-00543.
- 314345 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$1,312.50 attorney fees for court appointed legal representation of indigent respondent(s), Terry Traylor, Mother, re: the Gilmore children, minors. Case Nos. 10-JA-343 and 10-JA-344.

- 314347 MELINDA MACGREGOR, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$866.25 attorney fees for court appointed legal representation of indigent respondent(s), the Smith children, minors. Case Nos. 08-JA-229 and 08-JA-747.
- 314349 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$425.00 attorney fees for court appointed legal representation of indigent respondent(s), Michael Kidd, Father, re: M. Ryan, a minor. Case No. 09-JA-602.
- 314350 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$2,114.75 attorney fees for court appointed legal representation of indigent respondent(s), Carlos Flores, Father, re: the Flores children, minors. Case Nos. 09-JA-1092 and 09-JA-1093.
- 314351 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$705.00 attorney fees for court appointed legal representation of indigent respondent(s), James Willis, Father, re: A. Willis, a minor. Case No. 10-JA-01045.
- 314352 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$1,392.50 attorney fees for court appointed legal representation of indigent respondent(s), Mario Flemming, Father, re: the Flemming children, minors. Case Nos. 10-JA-894, 10-JA-895 and 10-JA-896.
- 314354 BRIAN M. COLLINS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$545.00 attorney fees for court appointed legal representation of indigent respondent(s), the Pittman children, minors. Case Nos. 96-JA-5847 and 96-JA-5848.
- 314355 BRIAN M. COLLINS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$285.00 attorney fees for court appointed legal representation of indigent respondent(s), P. Pittman, a minor. Case No. 10-JA-00009.
- 314358 CHARLES J. ARON, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$237.50 attorney fees for court appointed legal representation of indigent respondent(s), A. Dowdell, a minor. Case No. 04-JA-1206.
- 314359 CHARLES J. ARON, Attorney, submitting an Order of Court for payment of \$193.75 attorney fees for court appointed legal representation of indigent respondent(s), Tamica Ashford, Mother, re: T. Ashford and G. Clay, minors. Case Nos. 04-JA-0707 and 04-JA-0708.
- 314360 CHARLES J. ARON, Attorney, submitting an Order of Court for payment of \$693.75 attorney fees for court appointed legal representation of indigent respondent(s), Rene Alcantara, Father, re: M. Galindo, a minor. Case No. 09-JA-0512.
- 314361 CHARLES J. ARON, Attorney, submitting an Order of Court for payment of \$306.25 attorney fees for court appointed legal representation of indigent respondent(s), Sylvia Swanigan, Mother, re: L. Strong, a minor. Case No. 96-JA-3615.

- 314362 CHARLES J. ARON, Attorney, submitting an Order of Court for payment of \$1,172.50 attorney fees for court appointed legal representation of indigent respondent(s), Gloria Spivey, Guardian, re: D. Sanchez, a minor. Case No. 10-JA-0481.
- 314363 CHARLES J. ARON, Attorney, submitting an Order of Court for payment of \$175.00 attorney fees for court appointed legal representation of indigent respondent(s), Terrell Luckes, Father, re: T. Luckes, a minor. Case No. 10-JA-0584.
- 314364 CHARLES J. ARON, Attorney, submitting an Order of Court for payment of \$456.25 attorney fees for court appointed legal representation of indigent respondent(s), Terrell Luckes, Father, re: T. Luckes, a minor. Case No. 10-JA-0584.
- 314365 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$618.75 attorney fees for court appointed legal representation of indigent respondent(s), Jennifer Thurman, Mother, re: M. Owens, a minor. Case No. 09-JA-642.
- 314366 JAMES S. WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$222.50 attorney fees for court appointed legal representation of indigent respondent(s), the Broadnax children, minors. Case Nos. 96-JA-6470 and 96-JA-6471.
- 314367 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$212.50 attorney fees for court appointed legal representation of indigent respondent(s), Antwon Williams, Father, re: A. Coleman, a minor. Case No. 09-JA-1021.
- 314368 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$968.75 attorney fees for court appointed legal representation of indigent respondent(s), T. Tigner, a minor. Case No. 00-JA-1029.
- 314369 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$1,331.25 attorney fees for court appointed legal representation of indigent respondent(s), Reginald Thomas, Father, re: the Thomas children, minors. Case Nos. 04-JA-1342, 04-JA-1343, 04-JA-1344, 06-JA-860, 08-JA-159, 08-JA-1002 and 10-JA-1078.
- 314370 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$812.50 attorney fees for court appointed legal representation of indigent respondent(s), C. Nash, a minor. Case No. 02-JA-802.
- 314371 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$1,184.70 attorney fees for court appointed legal representation of indigent respondent(s), Jose Salazar, Father, re: M. Salazar, a minor. Case No. 08-JA-1099.
- 314372 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$843.75 attorney fees for court appointed legal representation of indigent respondent(s), Miquel Hernandez, Father, re: the Hernandez child, a minor. Case No. 10-JA-757.
- 314373 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$3,525.00 attorney fees for court appointed legal representation of indigent respondent(s), Jose Salazar, Father, re: M. Salazar, a minor. Case No. 08-JA-1099.

JOURNAL OF PROCEEDINGS FOR SEPTEMBER 7, 2011

- 314374 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$656.25 attorney fees for court appointed legal representation of indigent respondent(s), Benny Rivera, Father, re: S. Melendez, a minor. Case No. 10-JA-379.
- 314375 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$406.25 attorney fees for court appointed legal representation of indigent respondent(s), David Bryant, Father, re: A. Kizer, a minor. Case No. 09-JA-023.
- 314376 MICHAEL G. CAWLEY, Attorney, submitting an Order of Court for payment of \$993.75 attorney fees for court appointed legal representation of indigent respondent(s), Dwayne Hawkins, Father, re: the Hannah children, minors. Case Nos. 09-JA-963 and 10-JA-816.
- 314377 PAUL S. KAROLL, Attorney, submitting an Order of Court for payment of \$1,081.25 attorney fees for court appointed legal representation of indigent respondent(s), Ismael Esquivel, Father, re: J. Esquivel, a minor. Case No. 11-JA-81.
- 314378 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$1,275.00 attorney fees for court appointed legal representation of indigent respondent(s), Louis Pierce, Father, re: the Hobby children, minors. Case Nos. 09-JA-264 and 09-JA-265.
- 314379 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$540.00 attorney fees for court appointed legal representation of indigent respondent(s), Renee Dennis, Mother, re: P. Coleman, a minor. Case No. 10-JA-369.
- 314380 ELLEN J. MORRIS, Attorney, submitting an Order of Court for payment of \$300.00 attorney fees for court appointed legal representation of indigent respondent(s), Christine Hall, Mother, re: J. Hall, a minor. Case No. 01-JA-2138.
- 314381 SHERRI WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,150.00 attorney fees for court appointed legal representation of indigent respondent(s), S. Pierce, a minor. Case No. 10-JA-00761.
- 314382 SHERRI WILLIAMS, Attorney, submitting an Order of Court for payment of \$1,031.25 attorney fees for court appointed legal representation of indigent respondent(s), Steven Pozniak, Father, re: J. Pozniak, a minor. Case No. 10-JA-1077.
- 314383 PAUL S. KAROLL, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$575.00 attorney fees for court appointed legal representation of indigent respondent(s), L. McDowell, a minor. Case No. 10-JA-65.
- 314384 HORACE M. EALY, Attorney, submitting an Order of Court for payment of \$600.00 attorney fees for court appointed legal representation of indigent respondent(s), Marcus White, Father, re: A. Gregory, a minor. Case No. 09-JA-180.
- 314385 HORACE M. EALY, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), Leroy Clark, Father, re: L. Clark and A. Pritchett children, minors. Case Nos. 08-JA-0682 and 08-JA-684.

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CHILD PROTECTION CASES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$2,136,588.99
CHILD PROTECTION CASES TO BE APPROVED:	\$292,686.09

JUVENILE JUSTICE DIVISION

- 313913 COLLEEN R. DALY, Attorney, submitting an Order of Court for payment of \$572.50 attorney fees for court appointed legal representation of indigent respondent(s), Thymmerlee Stevenson-Bey, Mother, re: T. Stevenson-Bey, a minor. Case No. 10-JD-2664.
- 313938 MATTHEW A. INGRAM, Attorney, submitting an Order of Court for payment of \$900.00 attorney fees for court appointed legal representation of indigent respondent(s), C. Upchurch, a minor. Case No. 10-JD-60606.
- 313942 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney, submitting an Order of Court for payment of \$325.00 attorney fees for court appointed legal representation of indigent respondent(s), Reverend Francis McIntyre, Guardian, re: A. Holston, a minor. Case No. 10-JD-753.
- 313978 KIMBERLY D. SEARCY, Attorney, submitting an Order of Court for payment of \$625.00 attorney fees for court appointed legal representation of indigent respondent(s), N. Deoca, a minor. Case No. 10-JD-60220.
- 313979 KIMBERLY D. SEARCY, Attorney, submitting an Order of Court for payment of \$837.50 attorney fees for court appointed legal representation of indigent respondent(s), C. Gaskin, a minor. Case No. 10-JD-60646.
- 313994 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$412.50 attorney fees for court appointed legal representation of indigent respondent(s), Tekella Funches, Mother, re: M. Funches, a minor. Case No. 09-JD-0009.
- 313998 WILLIAM J. MCLAUGHLIN, Attorney, submitting an Order of Court for payment of \$387.50 attorney fees for court appointed legal representation of indigent respondent(s), F. Smith, a minor. Case No. 10-JD-60629.
- 313999 WILLIAM J. MCLAUGHLIN, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for court appointed legal representation of indigent respondent(s), M. Short, a minor. Case No. 10-JD-60539.
- 314015 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$1,100.00 attorney fees for court appointed legal representation of indigent respondent(s), E. Flemming, a minor. Case No. 10-JD-5295.
- 314055 SHERRI WILLIAMS, Attorney, submitting an Order of Court for payment of \$2,137.50 attorney fees for court appointed legal representation of indigent respondent(s), Elizabeth Deakyne, Mother, re: L. Deakyne, a minor. Case No. 09-JD-1434.

JOURNAL OF PROCEEDINGS FOR SEPTEMBER 7, 2011

- 314061 RICHARD S. GUTOFF, Attorney, submitting an Order of Court for payment of \$987.50 attorney fees for court appointed legal representation of indigent respondent(s), Laura Wilson, Mother, re: D. Beal, a minor. Case No. 09-JD-3162.
- 314115 MAUREEN T. MURPHY, Attorney, submitting an Order of Court for payment of \$2,293.79 attorney fees for court appointed legal representation of indigent respondent(s), Sharon Drake, Mother, re: E. Drake, a minor. Case No. 09-JD-685.
- 314150 PATRICK K. SCHLEE, Attorney, submitting an Order of Court for payment of \$868.75 attorney fees for court appointed legal representation of indigent respondent(s), Arlene Jackson, Mother, re: S. Jackson, a minor. Case Nos. 10-JD-4463 and 10-JD-4504.
- 314186 MATTHEW A. INGRAM, Attorney, submitting an Order of Court for payment of \$425.00 attorney fees for court appointed legal representation of indigent respondent(s), M. Grimes, a minor. Case No. 11-JD-60078.
- 314187 MATTHEW A. INGRAM, Attorney, submitting an Order of Court for payment of \$643.75 attorney fees for court appointed legal representation of indigent respondent(s), C. Dyson, a minor. Case No. 11-JD-60073.
- 314273 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$125.00 attorney fees for court appointed legal representation of indigent respondent(s), J. Reed, a minor. Case No. 11-JD-485.
- 314275 MICHAEL G. CAWLEY, Attorney, submitting an Order of Court for payment of \$1,100.00 attorney fees for court appointed legal representation of indigent respondent(s), Daphanie Davis, Mother, re: A. Beans, a minor. Case Nos. 10-JD-3278 and 10-JD-4957.
- 314276 MICHAEL G. CAWLEY, Attorney, submitting an Order of Court for payment of \$887.50 attorney fees for court appointed legal representation of indigent respondent(s), Carolyn Phillips, Adoptive Mother, re: L. Phillips, a minor. Case No. 09-JD-1949.
- 314356 MICHAEL MCINERNEY, Attorney, submitting an Order of Court for payment of \$1,194.50 attorney fees for court appointed legal representation of indigent respondent(s), Mona Matzinger, Mother, re: A. Matzinger, a minor. Case No. 11-JD-40006.
- 314357 MICHAEL MCINERNEY, Attorney, submitting an Order of Court for payment of \$512.50 attorney fees for court appointed legal representation of indigent respondent(s), A. Chavez, a minor. Case No. 11-JD-40017.

JUVENILE JUSTICE CASES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$0.00
JUVENILE JUSTICE CASES TO BE APPROVED:	\$16,685.79

SPECIAL COURT CASES

- 313932 SANDRA L. THIEL, Attorney and Guardian ad Litem, presented by the Circuit Court of Cook County, Office of the Chief Judge, submitting an Order of Court for payment of \$565.83 attorney fees and expenses regarding Estate of Lorenzo Villagrana, a Disabled Person, Case No. 11-P-3319. Please forward the check to Sarah Cunningham, Assistant State's Attorney, Civil Actions Bureau, for transmittal (300-829 Account).

- 314174 QUERREY & HARROW, LTD., Daniel F. Gallagher, Paul O'Grady, Larry S. Kowalczyk and Patrick G. Connelly, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$26,980.93 attorney fees and expenses regarding United States of America v. Cook County, et al., Case No. 10-C-2946 (Petition for Appointment of Special State's Attorney, Case No. 10-CH-25533), for the period of May 18 through June 30, 2011. To date \$219,950.28 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 314175 QUERREY & HARROW, LTD., Daniel F. Gallagher, Terrence F. Guolee, Larry S. Kowalczyk and Dominick L. Lanzito, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$8,174.77 attorney fees and expenses regarding Hernandez v. Cook County Sheriff's Department, et al., Case No. 07-C-855 (Petition for Appointment of Special State's Attorney, Case No. 07-CH-05603), for the period of May 20 through June 30, 2011. To date \$389,821.62 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting on July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 314176 QUERREY & HARROW, LTD., Daniel F. Gallagher, Terrence F. Guolee and Larry S. Kowalczyk, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$1,443.00 attorney fees and expenses regarding Degorski v. Cook County, et al., Case No. 04-C-3367 (Petition for Appointment of Special State's Attorney, Case No. 04-CH-10419), for the period of May 18 through June 30, 2011. To date \$48,577.77 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 314177 HICKEY, MELIA & ASSOCIATES, CHTD., Richard J. Hickey, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$8,127.00 attorney fees and expenses regarding Estate of Sonia Jones v. Cook County, et al., Case No. 04-L-5298 (Petition for Appointment of Special State's Attorney, Case No. 07-CH-2754), for the period of November 1, 2010 through April 30, 2011. To date \$127,765.74 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

314217 CARDELLE SPANGLER, Compliance Administrator for the Recorder of Deeds, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$26,251.28 fees and expenses regarding Shakman, et al. v. Cook County Recorder of Deeds, USDC No. 69-C-2145. On July 30, 2010, the United States District Court entered a Supplemental Relief Order (SRO) for the Recorder of Deeds in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator for the Recorder of Deeds. Settlement of this matter was approved by the Finance Committee's Subcommittee on Litigation at its meeting of July 21, 2010. On July 25 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 22nd Unopposed Petition in the amount of \$26,251.28 made payable to Cardelle Spangler, Compliance Administrator for the Cook County Recorder of Deeds. To date, Ms. Spangler has been paid \$469,228.63. Ms. Spangler has accumulated total fees and expenses of \$495,479.91 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

314218 CARDELLE SPANGLER, Compliance Administrator for the Recorder of Deeds, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$18,691.37 fees and expenses regarding Shakman, et al. v. Cook County Recorder of Deeds, USDC No. 69-C-2145. On July 30, 2010, the United States District Court entered a Supplemental Relief Order (SRO) for the Recorder of Deeds in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator for the Recorder of Deeds. Settlement of this matter was approved by the Finance Committee's Subcommittee on Litigation at its meeting of July 21, 2010. On August 5, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 23rd Unopposed Petition in the amount of \$18,691.37 made payable to Cardelle Spangler, Compliance Administrator for the Cook County Recorder of Deeds. To date, Ms. Spangler has been paid \$469,228.63. Ms. Spangler has accumulated total fees and expenses of \$514,171.28 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

314219 CARDELLE SPANGLER, Compliance Administrator for the Recorder of Deeds, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$33,050.00 fees and expenses regarding Shakman, et al. v. Cook County Recorder of Deeds, USDC No. 69-C-2145. On July 30, 2010, the United States District Court entered a Supplemental Relief Order (SRO) for the Recorder of Deeds in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator for the Recorder of Deeds. Settlement of this matter was approved by the Finance Committee's Subcommittee on Litigation at its meeting of July 21, 2010.

On August 22, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 24th Unopposed Petition in the amount of \$33,050.00 made payable to Cardelle Spangler, Compliance Administrator for the Cook County Recorder of Deeds. To date, Ms. Spangler has been paid \$469,228.63. Ms. Spangler has accumulated total fees and expenses of \$547,221.28 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

314220 CARDELLE SPANGLER, Compliance Administrator for the Recorder of Deeds, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$19,138.73 fees and expenses regarding Shakman, et al. v. Cook County Recorder of Deeds, USDC No. 69-C-2145. On July 30, 2010, the United States District Court entered a Supplemental Relief Order (SRO) for the Recorder of Deeds in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator for the Recorder of Deeds. Settlement of this matter was approved by the Finance Committee's Subcommittee on Litigation at its meeting of July 21, 2010. On August 22, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 25th Unopposed Petition in the amount of \$19,138.73 made payable to Cardelle Spangler, Compliance Administrator for the Cook County Recorder of Deeds. To date, Ms. Spangler has been paid \$469,228.63. Ms. Spangler has accumulated total fees and expenses of \$566,360.01 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

314221 MARK J. VOGEL, Complaint Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$32,263.69 fees and expenses regarding Shakman, et al. v. Cook County, USDC No. 69-C-2145. On February 12, 2009, the United States District Court entered an Order appointing Mark J. Vogel the Post Supplemental Relief Order Complaint Administrator for Cook County. As part of this Order, Cook County is required to pay the reasonable fees and expenses incurred by the Complaint Administrator for Cook County. On August 5, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 59th Unopposed Petition in the amount of \$32,263.69 made payable to Mark J. Vogel, Complaint Administrator. To date, Mark J. Vogel has been paid \$1,477,033.53. Mr. Vogel has accumulated total fees and expenses of \$1,509,297.22 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

314222 MARK J. VOGEL, Complaint Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$36,741.49 fees and expenses regarding Shakman, et al. v. Cook County, USDC No. 69-C-2145. On February 12, 2009, the United States District Court entered an Order appointing Mark J. Vogel the Post Supplemental Relief Order Complaint Administrator for Cook County. As part of this Order, Cook County is required to pay the reasonable fees and expenses incurred by the Complaint Administrator for Cook County. On August 16, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 60th Unopposed Petition in the amount of \$36,741.49 made payable to Mark J. Vogel, Complaint Administrator. To date, Mark J. Vogel has been paid \$1,477,033.53. Mr. Vogel has accumulated total fees and expenses of \$1,546,038.71 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

314223 LOCKE, LORD, BISSELL & LIDDELL, LLP, Plaintiffs' Class Counsel, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$98,688.85 fees and expenses regarding Shakman, et al. v. Cook County, USDC No. 69-C-2145. This case was filed in 1969 against the County of Cook and the Cook County Board of Commissioners among other defendants, and rises out of Plaintiffs' class action lawsuit asserting violations of the First Amendment to the U.S. Constitution. On November 30, 2006, the United State's District Court entered a Supplemental Relief Order (SRO) in this matter and as part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by Plaintiffs' class counsel. This matter was approved at a meeting of the full Board of Commissioners on November 29, 2006. On June 13, 2011, Plaintiffs' filed their Motion to Award attorneys' fees and costs with respect to the SRO for Cook County for the period of January 1 through April 30, 2011. On July 25, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses in the amount of \$98,688.85 payable by Cook County to Plaintiffs' counsel, Locke, Lord, Bissell & Liddell, LLP for allocation among the Plaintiffs' counsel law firms. To date, Locke, Lord, Bissell & Liddell, LLP has been paid \$1,029,708.29 in fees and expenses.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

314253 ROCK FUSCO, LLC, John J. Rock, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$407.00 attorney fees and expenses regarding Lambert v. Jamison, et al., Case No. 08-C-3613 (Petition for Appointment of Special State's Attorney, Case No. 09-CH-526), for the month of May 2011. To date \$313,150.51 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

- 314254 ROCK FUSCO, LLC, John J. Rock, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$13,479.20 attorney fees and expenses regarding Olayan v. Wasco, et al., Case No. 10-C-6074 (Petition for Appointment of Special State's Attorney, Case No. 10-CH-52229), for the months of April through June 2011. To date \$38,945.43 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 314255 ODELSON & STERK, LTD., Michael J. McGrath, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$101,361.98 attorney fees and expenses regarding Brown v. Cook County, Case No. 06-C-0617 (Petition for Appointment of Special State's Attorney, Case No. 06-CH-03663), for the months of September 2010 through May 2011. To date \$159,057.39 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 314269 HICKEY, MELIA & ASSOCIATES, CHTD., Richard J. Hickey, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$2,195.50 attorney fees and expenses regarding Diane Bucki v. Cook County, Case No. 08-L-10026 (Petition for Appointment of Special State's Attorney, Case No. 09-CH-16022), for the months of November 2010 through January 2011. To date \$19,171.50 has been paid. This will be the final payment of invoices in this matter. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 314271 HICKEY, MELIA & ASSOCIATES, CHTD., Richard J. Hickey, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$8,358.05 attorney fees and expenses regarding Wendy Cash v. Cook County, Case No. 08-L-04619 (Petition for Appointment of Special State's Attorney, Case No. 08-CH-39547), for the months of October 2010 through January 2011. To date \$131,895.07 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

SPECIAL COURT CASES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$5,567,655.12
SPECIAL COURT CASES TO BE APPROVED:	\$435,918.67

SPECIAL COURT CRIMINAL CASE

- 314178 STUART A. NUDELMAN, MYLES P. O'ROURKE, ANDREW N. LEVINE, RAFAEL A. BOMBINO, DEBBIE COHEN and BRIAN J. STEFANICH, Special State's Attorney and Assistant Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$29,706.92 regarding appointment of Special Prosecutor, No. 2003, Misc. 4, for the following:

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The Comptroller of Cook County is hereby ordered to pay interim fees for Special State's Attorney Stuart A. Nudelman in the amount of \$5,335.00, for Assistant Special State's Attorney Myles P. O'Rourke in the amount of \$3,434.00, for Assistant Special State's Attorney Andrew N. Levine in the amount of \$3,160.00, for Assistant Special State's Attorney Rafael A. Bombino in the amount of \$9,478.00, for Assistant Special State's Attorney Debbie Cohen in the amount of \$375.00 and for Assistant Special State's Attorney Brian J. Stefanich in the amount of \$6,055.50 and to pay the sum of \$1,869.42 for the total of the following expenses incurred by the Office of the Special Prosecutor for the month of June 2011:

1. Services - Assistant Special Prosecutors	\$27,837.50
2. Telephone	450.00
3. Office Expenses	73.64
4. Paralegal/Clerk time	831.25
5. Computer Maintenance	150.00
6. Lexis Nexis Research	364.53

Said amounts totaling \$29,706.92 to be fair and reasonable for the work performed on the post-conviction cases (80-C-1916, 80-C-5534, 81-C-6362, 82-C-8655, 83-C-769, 83-CR-12478, 84-C-6487, 84-C-66702, 86-CR-6091, 87-CR-11296 88-CR-7047, 90-CR-3212, 92-CR-2771, 92-CR-28009, 93-C-6684 and 95-CR-27596) as well as the incurred expenses attributed to the preparation and case management of those same cases. The Comptroller of Cook County is therefore ordered to issue payment to the Office of the Special Prosecutor in the amount of \$29,706.92 (310-263 Account). To date \$1,026,523.51 has been paid. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

SPECIAL COURT CRIMINAL CASES APPROVED FISCAL YEAR 2011

TO PRESENT:	\$390,429.73
SPECIAL COURT CRIMINAL CASE TO BE APPROVED:	\$29,706.92

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER REYES, MOVED APPROVAL OF THE COURT ORDERS. THE MOTION CARRIED.

SECTION 2

Your Committee has considered the following numbered and described bills and recommends that they be, and upon the adoption of this report, approved and that the County Comptroller and County Treasurer are authorized and directed to issue checks to said claimants in the amounts recommended.

- 313923 PUBLIC BUILDING COMMISSION OF CHICAGO, Chicago, Illinois, submitting invoice totaling \$968,779.00, part payment for operating expenses for the Richard J. Daley Center, for the month of August 2011 (499-470 Account). Approved by County Board February 26, 2011.
- 313950 SENTINEL TECHNOLOGIES, INC., Chicago, Illinois, submitting invoice totaling \$236,119.96, part payment for Contract No. 08-41-247, for countywide computer hardware maintenance for the Department for Management of Information Systems, for the month of May 2011 (009-441 Account). (See Comm. No. 313410). Purchase Order No. 176878, approved by County Board April 9, 2008 and January 19, 2011.

- 313951 ARAMARK CORRECTIONAL SERVICES, LLC, Atlanta, Georgia, submitting eight (8) invoices totaling \$798,799.42, part payment for Contract No. 08-84-387 Rebid, for food service for inmate meals for the Department of Corrections, for the period of April 28 through May 25, 2011 (239-223 Account). (See Comm. No. 313173). Purchase Order No. 175540, approved by County Board May 5, 2009.

COMMISSIONER SUFFREDIN VOTED NO ON THE ABOVE ITEM.

- 313966 GATEWAY FOUNDATION, INC., Chicago, Illinois, submitting invoice totaling \$266,737.90, part payment for Contract No. 09-41-118, to provide substance abuse treatment services for the Pre-Release and Day Reporting Centers for the Sheriff's Department of Community Supervision and Intervention (DCSI), for the month of June 2011 (236-298 Account). (See Comm. No. 313706). Purchase Order No. 176998, approved by County Board April 1, 2009 recessed and reconvened on April 2, 2009, March 26, 2010 and March 15, 2011.
- 313972 NORTHWESTERN UNIVERSITY, Evanston, Illinois, submitting four (4) invoices totaling \$472,801.25, part payment for Contract No. 10-41-14, to operate the Circuit Court of Cook County's Juvenile Court Clinic for the Juvenile Probation and Court Services Department, for the months of May, July, August and September 2010 (326-260 Account). (See Comm. No. 313705). Purchase Order No. 176501, approved by County Board November 18, 2009.
- 313980 G4S SECURE SOLUTIONS, INC., Atlanta, Georgia, submitting four (4) invoices totaling \$124,709.63, part payment for Contract No. 08-41-321, for security services for the Juvenile Temporary Detention Center, for the period of June 13 through July 10, 2011 (440-260 Account). (See Comm. No. 312874). Purchase Order No. 175718, approved by County Board May 20, 2008, November 19, 2008, June 16, 2009, November 4, 2009, June 15, 2010 and October 5, 2010.
- 313982 MCDERMOTT CENTER, Chicago, Illinois, submitting invoice totaling \$29,355.00, part payment for Contract No. 08-41-209, for substance abuse treatment (MOM's Program) for pregnant and post natal detainees for the Sheriff's Department of Women's Justice Services, for the month of May 2011 (212-298 Account). Purchase Order No. 176651, approved by County Board March 6, 2008, January 10, 2009, January 12, 2010, April 6, 2011 and June 30, 2011.
- 313983 MCDERMOTT CENTER, Chicago, Illinois, submitting invoice totaling \$61,792.32, part payment for Contract No. 08-41-210, for a substance abuse treatment program (Furlough Program) for female detainees for the Sheriff's Department of Women's Justice Services, for the month of May 2011 (212-298 Account). Purchase Order No. 177104, approved by County Board April 6, 2011.
- 313984 MCDERMOTT CENTER, Chicago, Illinois, submitting invoice totaling \$84,330.88, part payment for Contract No. 08-41-210, for a substance abuse treatment program (Residential Program) for female detainees for the Sheriff's Department of Women's Justice Services, for the month of May 2011 (212-298 Account). Purchase Order No. 176652, approved by County Board March 6, 2008, January 10, 2009, January 12, 2010 and April 6, 2011.

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- 313985 PRAIRIE INTERNATIONAL TRUCKS, INC., Springfield, Illinois, submitting invoice totaling \$2,250,781.00, full payment for Contract No. 10-41-128, for thirteen (13) tandem axle dump trucks with plow, spreader and pre-wet kits for salt spreaders for the Highway Department (717/500-549 Account). Purchase Order No. 173988, approved by County Board July 27, 2010.
- 313986 SYSTEM SOLUTIONS, INC., Northbrook, Illinois, submitting invoice totaling \$104,940.00, part payment for Contract No. 09-41-227, for computer hardware, software, peripheral equipment and support services for the State's Attorney's Office for the Bureau of Technology (782-579 Account). Purchase Order No. 177336, approved by County Board June 16, 2009, July 13, 2010 and May 17, 2011.
- 313987 AT&T CORPORATION, Chicago Heights, Illinois, submitting four (4) invoices totaling \$210,018.77, part payment for Contract No. 10-41-35, for Integrated Services Digital Network (ISDN) T1 circuits, long distance usage and local calling usage for Bureau of Technology, for the months of April and May 2011 (490/499-220 Account). Purchase Order No. 172227, approved by County Board March 16, 2010.
- 313988 OFFICE OF THE COUNTY TREASURER, submitting invoice totaling \$600,000.00, part payment for postage for the mailing of the second installment of real estate tax bills for Permit #7960 for the year 2010 (060-225 Account). Check to be made payable to the Postmaster of Chicago.
- 313989 WRIGHT EXPRESS FINANCIAL SERVICES CORPORATION, Carol Stream, Illinois, submitting invoice totaling \$378,294.15, part payment for Contract No. 09-41-249, for the County's participation in the State of Illinois contract for motor fuel card purchases submitted by the Sheriff's Office, for the month of July 2011 (211-445 Account). (See Comm. No. 313873). Purchase Order No. 176433, approved by County Board July 21, 2009.
- 313990 ISAAC RAY CENTER, INC., Chicago, Illinois, submitting three (3) invoices totaling \$157,995.51, part payment for Contract No. 10-41-68, for mental health services for residents of the Juvenile Temporary Detention Center, for the period of May 1 through June 12, 2011 (440-272 Account). (See Comm. No. 313363). Purchase Order No. 176794, approved by County Board December 15, 2009.
- 313991 MERRICK & COMPANY, Aurora, Colorado, submitting invoice totaling \$114,397.08, part payment for Contract No. 10-41-09, for the aerial imagery project for the Geographical Information Systems (GIS), Bureau of Technology, for the period of May 28 through June 24, 2011 (717/545-260 Account). (See Comm. No. 313659). Purchase Order No. 177112, approved by County Board January 26, 2010.
- 314091 ELMO-TECH, INC., Naperville, Illinois, submitting invoice totaling \$108,756.97, part payment for Contract No. 10-41-59, for integrated electronic monitoring and hosting services for the Sheriff's Department of Community Supervision and Intervention (DCSI), for the month of May 2011 (236-449 Account). (See Comm. No. 313401). Purchase Order No. 176892, approved by County Board April 20, 2010.

THE ABOVE ITEM WAS DEFERRED.

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- 314122 INTELLITECH CORPORATION, Poland, Ohio, submitting invoice totaling \$615,500.00, part payment for Contract No. 08-41-287, to implement and install a new jail management information system for the Department of Corrections (715/239-579 Account). (See Comm. No. 307759). Purchase Order No. 163256, approved by County Board July 1, 2008.
- 314123 ARAMARK CORRECTIONAL SERVICES, LLC, Atlanta, Georgia, submitting sixteen (16) invoices totaling \$1,798,569.93, part payment for Contract No. 08-84-387 Rebid, for food service for inmate meals for the Department of Corrections, for the period of May 26 through July 27, 2011 (239-223 Account). (See Comm. No. 313951). Purchase Order No. 175540, approved by County Board May 5, 2009, October 5, 2010 and July 12, 2011.

COMMISSIONER SUFFREDIN VOTED NO ON THE ABOVE ITEM.

- 314159 NORTHWESTERN UNIVERSITY, Evanston, Illinois, submitting two (2) invoices totaling \$421,614.54, part payment for Contract No. 10-41-14, to operate the Circuit Court of Cook County's Juvenile Court Clinic for the Juvenile Probation and Court Services Department, for the months of January through April 2011 (326-260 Account). (See Comm. No. 313972). Purchase Order No. 176501, approved by County Board October 18, 2009.
- 314164 ISAAC RAY CENTER, INC., Chicago, Illinois, submitting invoice totaling \$339,143.96, part payment for Contract No. 10-41-68, for mental health services for residents of the Juvenile Temporary Detention Center, for the period of June 13-26, 2011 (440-272 Account). (See Comm. No. 313990). Purchase Order No. 176794, approved by County Board December 15, 2009.
- 314165 SYSTEM SOLUTIONS, INC., Northbrook, Illinois, submitting invoice totaling \$106,828.00, part payment for Contract No. 09-41-227, for computer hardware, software, peripheral equipment and support services for the Clerk of the Circuit Court for the Bureau of Technology (717/528-579 Account). Purchase Order No. 172486, approved by County Board June 16, 2009 and July 13, 2010.
- 314166 HEARTLAND HUMAN CARE SERVICES, INC., Chicago, Illinois, submitting invoice totaling \$135,633.68, part payment for Contract No. 09-41-277, for short term housing and living assistance for minors charged with delinquency petitions in juvenile court for the Juvenile Probation and Court Services Department, Circuit Court of Cook County, for the month of May 2011 (326-298 Account). Purchase Order No. 177384, approved by County Board July 21, 2009.
- 314195 OFFICE OF THE COUNTY ASSESSOR, submitting invoice totaling \$250,000.00, part payment for postage for meter 6023 for the Assessor's Office (040-225 Account). Check to be made payable to the U.S. Postmaster. Please forward the check to Victoria La Calamita, Human Resources Dept., Cook County Assessor, for transmittal.
- 314202 REALAUCTION.COM, LLC, Plantation, Florida, submitting invoice totaling \$130,676.00, part payment for Contract No. 08-41-244, for online auction services for the annual tax sale and scavenger tax sale for Fiscal Year 2011 for the Treasurer's Office (534-260 Account). Purchase Order No. 174647, approved by County Board April 9, 2008.

- 314228 DELL MARKETING, L.P., Chicago, Illinois, submitting invoice totaling \$374,490.56, part payment for Contract No. 09-41-221, for computer software, software maintenance and support services for the Sheriff's Department for the Bureau of Technology (717/023-579 Account). Purchase Order No. 177196, approved by County Board June 16, 2009, July 13, 2010 and May 17, 2011
- 314229 WALSH CONSTRUCTION COMPANY, Chicago, Illinois, submitting invoice totaling \$1,577,994.66, 7th part payment for Contract No. 10-53-42, for the new Residential Treatment Unit (RTU) Reception Classification Diagnostic Center (RCDC) Building at the Department of Corrections for the Office of Capital Planning and Policy, for the month of June 2011. Bond Issue (20000 Account). (See Comm. No. 313823). Purchase Order No. 173503, approved by County Board July 13, 2010.
- 314242 AUNT MARTHA'S YOUTH SERVICE CENTER, INC., Olympia Fields, Illinois, submitting two (2) invoices totaling \$195,070.00, part payment for Contract No. 10-41-58, to operate the Juvenile Court Evening Reporting Centers for the Juvenile Probation and Court Services Department, Circuit Court of Cook County, for the months of May and June 2011 (326-298 Account). (See Comm. No. 313340). Purchase Order No. 176344, approved by County Board March 16, 2010.
- 314270 MOTOROLA, INC., Chicago, Illinois, submitting invoice totaling \$1,171,920.60, part payment for Contract No. 08-41-317, for the Cook County Interoperable Radio Communication Initiative and radio system upgrade for the Sheriff's Office through the Homeland Security grant (769-570 Account). (See Comm. No. 313250). Purchase Order No. 165288, approved by County Board December 3, 2008.
- 314283 DELL MARKETING, L.P., Chicago, Illinois, submitting invoice totaling \$275,502.17, part payment for Contract No. 09-41-221, for computer software, software maintenance and support services for the Judiciary-Information Services for the Bureau of Technology (717/300-579 Account). Purchase Order No. 174998, approved by County Board June 16, 2009, July 13, 2010 and May 17, 2011.
- 314342 SENTINEL TECHNOLOGIES, INC., Chicago, Illinois, submitting invoice totaling \$238,350.96, part payment for Contract No. 08-41-247, for countywide computer hardware maintenance for the Department for Management of Information Systems, for the month of June 2011 (009-441 Account). (See Comm. No. 313950). Purchase Order No. 176878, approved by County Board April 9, 2008 and January 19, 2011.
- 314343 DELL MARKETING, L.P., Chicago, Illinois, submitting invoice totaling \$470,799.10, part payment for Contract No. 09-41-221, for computer software, software maintenance and support services for the Office of the Chief Information Officer for the Bureau of Technology (717/009-579 Account). Purchase Order No. 175203, approved by County Board June 16, 2009, July 13, 2010 and May 17, 2011.
- 314348 NW CONSTRUCTION, LLC, Forest Park, Illinois, submitting invoice totaling \$145,644.30, 6th part payment for Contract No. 10-53-071, for countywide exterior wall repair project (Group 1, Package 4) at the Hawthorne Warehouse for the Office of Capital Planning and Policy, for the period of May 12 through July 1, 2011. Bond Issue (20000 Account). (See Comm. No. 313658). Purchase Order No. 174845, approved by County Board May 4, 2010 and September 15, 2010.

- 314353 SENTINEL TECHNOLOGIES, INC., Chicago, Illinois, submitting two (2) invoices totaling \$178,546.32, part payment for Contract No. 09-41-276, for Wide Area Network (WAN) operations, administration, maintenance, provisioning and support services for the Bureau of Technology, for the months of March and June 2011 (717/009-441 Account). (See Comm. No. 311217). Purchase Order No. 174896, approved by County Board July 21, 2009 and September 1, 2010.
- 314386 MICROSOFT PROFESSIONAL SUPPORT, Dallas, Texas, submitting invoice totaling \$297,500.00, part payment for Contract No. 11-41-02, for Microsoft services upgrade and migration support services to SQL Server 2008 for the Treasurer's Office (534-260 Account). Purchase Order No. 176382, approved by County Board December 1, 2010.

COMMISSIONER GOSLIN, SECONDED BY COMMISSIONER REYES, MOVED APPROVAL OF THE BILLS AND CLAIMS WITH THE EXCEPTION OF COMMUNICATION NO. 314091, WHICH WAS DEFERRED. THE MOTION CARRIED.

SECTION 3

Your Committee has considered the following communications from State's Attorney, Anita Alvarez with reference to the workers' compensation claims hereinafter mentioned.

Your Committee, therefore, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, are authorized and directed to issue checks to the Workers' Compensation Commission to be paid from the Workmen's Compensation Fund.

- 314203 RICHARD HENDERSON, in the course of his employment as a Juvenile Counselor for the Juvenile Temporary Detention Center sustained accidental injuries on May 25, 2010. The Petitioner fell while separating two combative residents, and as a result he injured his knee (left knee torn lateral meniscus and torn medio-collateral ligament (MCL). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 10-WC-24902 in the amount of \$15,695.94 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Caroleann Gallagher, Law Firm of James M. Ridge & Associates, P.C.
- 314204 WILLIAM S. HALL, in the course of his employment as a Juvenile Counselor for the Juvenile Temporary Detention Center sustained accidental injuries on August 24, 2008 and February 21, 2010. The August 24, 2008 accident occurred when the Petitioner slipped on a wet floor and fell, and as a result he injured his shoulder and knee (right shoulder rotator cuff tear; left knee pain with strain of the extensor mechanism). The February 21, 2010 accident occurred when the Petitioner hit his knee on the desk, and as a result he injured his knee (left knee contusion with patellofemoral compartment degenerative joint disease). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order Nos. 10-WC-32126 and 10-WC-32127 in the amount of \$43,708.06 and recommends its payment. (Finance Subcommittee July 12, 2011). Attorney: Michael S. Rolenc, Law Firm of Lannon, Lannon & Barr, Ltd.

- 314205 RICHARD DOBBS, in the course of his employment as a Juvenile Counselor for the Juvenile Temporary Detention Center sustained accidental injuries on June 30, 2010. The Petitioner was struck in the back with a chair by two combative inmates, and as a result he injured his rib (lateral fracture at the right ninth rib). Prior/pending claims: 01/09/10 case has been tried and a decision is currently pending. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 10-WC-32125 in the amount of \$4,489.40 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Patricia Lannon Kus, Law Firm of Lannon, Lannon & Barr, Ltd.
- 314206 CHARLES R. DEVER, in the course of his employment as a Laborer for the Highway Department sustained accidental injuries on June 19, 2007. The accident occurred while the Petitioner was working a backhoe, a hose broke and sprayed oily hydraulic liquid, and as a result he injured his face and eyes (chemical injury to both eyes). Prior/pending claims: 04/11/06 case settled for \$1.00 (Recovery - \$0.00, Waiver - \$4,249.16), 06/01/00 case settled for \$22,000.00 and 06/26/98 case settled for \$17,896.01. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 08-WC-21649 in the amount of \$20,000.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Patrick B. Nicholson, Law Firm of Cullen, Haskins, Nicholson & Menchetti, P.C.
- 314207 MARINE G. CRAWL, in the course of her employment as a Juvenile Counselor for the Juvenile Temporary Detention Center sustained accidental injuries on July 13, 2007 and November 26, 2007. The July 13, 2007 accident occurred when the Petitioner was attempting to restrain two combative residents, and as a result she injured her back and shoulder (back pain and right shoulder sprain). The November 26, 2007 accident occurred when the Petitioner was struck with a chair while retraining combative residents, and as a result she injured her back and shoulder (concussion, right shoulder sprain, cervical and lumbar sprain/strain). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order Nos. 08-WC-05897 and 08-WC-05898 in the amount of \$15,000.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Gary B. Friedman, Law Firm of Friedman and Solmor, Ltd.
- 314208 STEVEN BIALCZAK, in the course of his employment as an Investigator for the Sheriff's Police Department sustained accidental injuries on August 12, 2010. The Petitioner was struck by a motor vehicle while trying to apprehend the driver, and as a result he injured his ankle (right ankle fracture of the posterior process of the talus). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 10-WC-38964 in the amount of \$22,500.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Caroleann Gallagher, Law Firm of James M. Ridge & Associates, P.C.

- 314209 ANTHONY BATTAGLIA, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on December 3, 2008. The Petitioner was involved in a motor vehicle collision, and as a result he injured his back, arm, shoulder and hand (herniated disc at L2-3, left arm, left shoulder and left hand). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 08-WC-55079 in the amount of \$56,538.20 and recommends its payment. (Finance Subcommittee July 12, 2011). Attorney: Anthony J. Cuda, Cuda Law Offices.
- 314210 WILLIAM MOZELLE, JR., in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on May 27, 2007 and September 14, 2008. The May 27, 2007 accident occurred while the Petitioner was attempting to apprehend an inmate, and as a result he injured his right great toe (fractured right great toe). No compensation has been or will be awarded for the accident on September 14, 2008 but the matter is being closed as part of this settlement. Prior/pending claims: 12/08/07 case settled for \$6,448.50. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order Nos. 09-WC-26561 and 09-WC-26562 in the amount of \$4,000.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Ivan M. Rittenberg, Law Firm of Rittenberg, Buffen & Gulbrandsen, Ltd.
- 314211 KELLEY KLEIST, in the course of his employment as a Police Officer for the Sheriff's Police Department sustained accidental injuries on January 18, 2011. While escorting a funeral procession the Petitioner's vehicle was struck by another vehicle, and as a result he injured his neck and head (neck strain and chronic headache). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 11-WC-02656 in the amount of \$6,647.20 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Frank D. Kress, Law Firm of Rubens & Kress.
- 314212 CHRIS REILLY, in the course of his employment as a Resident Team Leader for the Juvenile Temporary Detention Center sustained accidental injuries on December 5, 2009. The Petitioner was attacked by a resident, and as a result he injured both his eyes (severe corneal abrasions and conjunctiva abrasions of the right eye and a corneal abrasion of the left eye). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 10-WC-04881 in the amount of \$8,614.77 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Bradley S. Dworkin, Law Office of Bradley S. Dworkin.
- 314213 NANCY NEGRON-ZOLLNER, in the course of her employment as a Correctional Office for the Department of Corrections sustained accidental injuries on March 18, 2007 and March 21, 2008. The March 18, 2007 accident occurred when the Petitioner attempted to restrain a combative inmate, and as a result she injured her wrist (triangular fibrocartilage complex tear of the right wrist). The March 21, 2008 accident occurred when the Petitioner was lifting crates, and as a result she re-injured her wrist (aggravation of the initial injury). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order Nos. 07-WC-27789

and 08-WC-16877 in the amount of \$24,500.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Sylvia A. Styka, Law Firm of Styka & Styka, Ltd.

314214 THOMAS JAKSTAVICH, in the course of his employment as a Motor Vehicle Driver and Road Repair Worker for the Highway Department sustained accidental injuries on August 10, 2005. While the Petitioner was operating a mowing tractor when the rear wheels fell into a ditch, and as a result he injured his head and neck (whiplash injury/hyperextension of the neck; bilateral spondylotic protrusions at C5-C6, nerve compression at C5-6 and C6-7, and bilateral neural foraminal narrowing at the C6-C7 level with radiculopathy, requiring epidural injections). Prior/pending claims: 06/02/04 case was dismissed by the Petitioner on 05/15/08. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-31079 in the amount of \$24,825.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Steven A. Stein, Law Firm of Stein & Cherney, Ltd.

314215 MICHAEL TAFF, in the course of his employment as an Administrative Assistant and Garden Coordinator for the Department of Corrections sustained accidental injuries on June 30, 2008. The Petitioner tripped over a support wire, and as a result he injured his knee (right knee medial meniscus tear with synovitis and an osteochondral injury). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 11-WC-03456 in the amount of \$26,953.58 and recommends its payment. (Finance Subcommittee July 12, 2011). Attorney: Charles G. Haskins, Law Firm of Cullen, Haskins, Nicholson & Menchetti, P.C.

314216 MICHAEL PALMERI, in the course of his employment as a Road Equipment Operator for the Highway Department sustained accidental injuries on March 18, 2010. The Petitioner attempted to lift a heavy steel accessory and attach it to the forklift he was operating, and as a result his injured his back (L5-S1 disk herniation with left sided sciatica). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 10-WC-43428 in the amount of \$66,472.00 and recommends its payment. (Finance Subcommittee July 12, 2011). Attorney: Larry Karchmar, Law Firm of Karchmar & Stone.

WORKERS' COMPENSATION CLAIMS APPROVED FISCAL YEAR 2011

TO PRESENT:

\$3,275,646.24

WORKERS' COMPENSATION CLAIMS TO BE APPROVED:

\$339,944.15

COMMISSIONER SCHNEIDER, SECONDED BY COMMISSIONER GORMAN, MOVED APPROVAL OF THE WORKERS' COMPENSATION CLAIMS. THE MOTION CARRIED.

SECTION 4

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting the County Board to authorize subrogation recoveries.

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Your Committee, concurring in the requests of the Cook County Department of Risk Management recommends the authorization of subrogation recoveries be granted.

314225 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$2,045.70. Claim No. 20050528, Sheriff's Police Department.

Responsible Party: Priscilla A. Hughes-Jackson (Owner), Chardra R. Hughes (Driver), 3133 198th Street, Lynwood, Illinois 60411
Damage to: Sheriff's Police Department vehicle
Our Driver: Mary Noel Sprayberry, Unit #5020
Date of Accident: June 27, 2011
Location: 200 East Sibley Road, South Holland, Illinois (211-444 Account).

314226 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$1,372.89. Claim No. 20050519, State's Attorney's Office.

Responsible Party: Joseph Hacek (Owner), Joseph Cosention (Driver), 10017 West 151st Street, Orland Park, Illinois 60462
Damage to: State's Attorney's Office vehicle
Our Driver: Parked vehicle, Unit #10009
Date of Accident: May 28, 2011
Location: 3848 South Union Avenue, Chicago, Illinois (250-444 Account).

314227 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$4,037.38. Claim No. 20050507, State's Attorney's Office.

Responsible Party: Eduardo Toledo (Owner) and unknown driver, 6143 South Meade Avenue, Chicago, Illinois 60638
Damage to: State's Attorney's Office vehicle
Our Driver: John Duffy, Unit #0918
Date of Accident: December 25, 2010
Location: 6122 South Meade Street, Chicago, Illinois (250-444 Account).

SUBROGATION RECOVERIES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$30,418.36
SUBROGATION RECOVERIES TO BE APPROVED:	\$7,455.97

COMMISSIONER SILVESTRI, SECONDED BY VICE CHAIRMAN SIMS, MOVED APPROVAL OF THE SUBROGATION RECOVERIES. THE MOTION CARRIED.

SECTION 5

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting that the County Board authorize payment of said claims.

Your Committee, concurring in the requests of the Cook County Department of Risk Management, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to claimants in the amounts recommended.

- 314256 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$2,050.00. Claim No. 97009125, Sheriff's Police Department.

Claimant: Heather Zimmerman (Owner), James Zimmerman (Driver), 315 North Oak Street, Palatine, Illinois 60067
Claimant's Vehicle: 1997 Ford Taurus
Our Driver: Shawn Frey, Unit #3952
Prior Accident(s): 0
Date of Accident: July 31, 2011
Location: Euclid Avenue and Hicks Road, Rolling Meadows, Illinois

The Claimant was traveling northbound on Hicks Road in Rolling Meadows. The Sheriff's Police Department vehicle was traveling westbound on Euclid Avenue and struck Claimant's vehicle causing damage to the front bumper, A/C condenser, radiator, core support and hood (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

- 314257 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$2,422.96. Claim No. 97008904, Highway Department.

Claimant: Village of Buffalo Grove, 51 Raupp Boulevard, Buffalo Grove, Illinois 60089
Claimant's Property: Light pole
Our Driver: Mike Galichio, Unit #180
Prior Accident(s): 0
Date of Accident: February 5, 2011
Location: Arlington Heights Road and Strathmore Court, Buffalo Grove, Illinois

The Highway Department vehicle was plowing snow along Arlington Heights Road and Strathmore Court in Buffalo Grove and struck a light pole, causing damage (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

- 314258 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$441.00. Claim No. 97008930, Highway Department.

Claimant: Walter J. Kozak, 15247 Brassie Drive, Orland Park, Illinois 60462
Property Damage: Fence
Date of Accident: February 2, 2011
Location: 15247 Brassie Drive, Orland Park, Illinois

The Highway Department vehicle was plowing snow along 80th Avenue in Orland Park. The snow was pushed into Claimant's fence causing damage (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

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- 314259 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$111.08. Claim No. 97009105, Adult Probation Department.

Claimant: Enterprise Fleet Management Exchange, Attn: Claim #144226,
P.O. Box 11228, St. Louis, Missouri 63105
Claimant's Vehicle: 2010 Dodge Avenger
Our Driver: Ramon Ibarra, Plate #M160069
Prior Accident(s): 0
Date of Accident: January 18, 2011
Location: 50th Avenue and Luna Road, Chicago, Illinois

The Adult Probation Department vehicle was traveling southbound on California Avenue in Chicago. As the County vehicle passed Claimant's parked and unoccupied vehicle, it struck the vehicle causing damage to the left rearview mirror (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

- 314260 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$635.32. Claim No. 97008777, Sheriff's Jail Diversion and Crime Prevention.

Claimant: Katarzyna Przedpelski, 5413 West 83rd Street, Burbank, Illinois
60459
Claimant's Vehicle: 2006 Toyota Highlander
Our Driver: Timothy J. Duignan, Unit #7295
Prior Accident(s): 0
Date of Accident: December 29, 2010
Location: 95th Street and Oak Park Avenue, Oak Lawn, Illinois

The Sheriff's Jail Diversion and Crime Prevention vehicle was traveling westbound on 95th Street in Oak Lawn and rear-ended Claimant's vehicle causing damage to the rear bumper area (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

- 314261 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$5,577.47. Claim No. 97008896, Stroger Hospital of Cook County.

Claimant: Spectran Trucking, 2250 East Devon Avenue, Elk Grove Village,
Illinois 60007
Claimant's Vehicle: 2006 International 9000I Series
Our Driver: Stephen M. Gawlik, Plate #M130329
Prior Accident(s): 0
Date of Accident: March 25, 2011
Location: Stroger Hospital of Cook County, 1900 West Polk Street,
Chicago, Illinois

The Stroger Hospital of Cook County vehicle was backing up and struck Claimant's vehicle. Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

SELF-INSURANCE CLAIMS APPROVED FISCAL YEAR 2011 TO PRESENT:	\$87,711.56
SELF-INSURANCE CLAIMS TO BE APPROVED:	\$11,237.83

COMMISSIONER SILVESTRI, SECONDED BY VICE CHAIRMAN SIMS, MOVED APPROVAL OF THE SELF-INSURANCE PROGRAM SETTLEMENT CLAIMS. THE MOTION CARRIED.

SECTION 6

Your Committee has considered the following communications from State's Attorney, Anita Alvarez.

Your Committee, concurring in the recommendations of the State's Attorney, recommends that the County Comptroller and County Treasurer prepare checks in the amounts recommended in order that the payments may be set in accordance with the request of the State's Attorney upon proper release from the Office of the State's Attorney.

- 314167 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$225.00 for the release and settlement of suit regarding Lee C. Kidd v. Cook County Department of Corrections, Case No. 11-M1-011910. This matter involves an allegation of loss of property at the Jail. The matter has been settled for the sum of \$225.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$225.00, made payable to Lee C. Kidd. Please forward the check to Lilianna M. Kalin, Assistant State's Attorney, for transmittal.
- 314168 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$350.00 for the release and settlement of suit regarding Dennis Earl Plummer v. Sergeant Helms, et al., Case No. 10-CV-1617. This matter involves allegations of excessive force at the Jail. The matter has been settled for the sum of \$350.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$350.00, made payable to Dennis Earl Plummer. Please forward the check to Scott Nehls, Assistant State's Attorney, for transmittal.
- 314169 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$500.00 for the release and settlement of suit regarding Thurston v. Lesley, et al., Case No. 10-C-6669. This matter involves allegations of improper denial of access to the law library at the Jail. The matter has been settled for the sum of \$500.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$500.00, made payable to Darrell Thurston. Please forward the check to Anthony E. Zecchin, Assistant State's Attorney, for transmittal.
- 314170 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$1,250.00 for the release and settlement of suit regarding Jackie Tyler v. Bane, et al., Case No. 11-C-211. This matter involves an allegation of a civil rights violation at the Jail. The matter has been settled for the sum of \$1,250.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$1,250.00, made payable to Jackie Tyler. Please forward the check to Colleen Cavanaugh,

Assistant State's Attorney, for transmittal.

- 314171 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$1,500.00 for the release and settlement of suit regarding Antonio Martin v. Sergeant Lucas, Case No. 11-CV-3265. This matter involves allegations from use of excessive force at the Jail. The matter has been settled for the sum of \$1,500.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$1,500.00, made payable to Antonio Martin. Please forward the check to Scott Nehls, Assistant State's Attorney, for transmittal.
- 314172 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$2,000.00 for the release and settlement of suit regarding Adkisson v. Tedesco, Case No. 09-C-4660 and Adkisson v. Bonen, Case No. 09-C-4558. These matters involve allegations of civil rights violations at the Jail. These matters have been settled for the sum of \$2,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$2,000.00, made payable to John T. Adkisson. Please forward the check to Patrick Smith, Deputy Supervisor, Conflicts Counsel Unit, for transmittal.
- 314173 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$2,600.00 for the release and settlement of suit regarding Ronald Cummings v. Sheriff of Cook County, et al., Case No. 09-CV-5592. This matter involves an allegation of a civil rights violation at the Jail. The matter has been settled for the sum of \$2,600.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$2,600.00, made payable to Ronald Cummings. Please forward the check to Scott Nehls, Assistant State's Attorney, for transmittal.
- 314197 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$10,000.00 for the release and settlement of suit regarding Occia Johnson v. Dart, et al., Case No. 09-C-3544. This matter involves an allegation of a civil rights violation at the Jail. The matter has been settled for the sum of \$10,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$10,000.00, made payable to Raquel Johnson. Please forward the check to Colleen Cavanaugh, Assistant State's Attorney, for transmittal.
- 314198 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,629.57 for the release and settlement of suit regarding Baker, et al. v. Trebilco, et al., Case No. 10-L-1039 (DuPage County). This matter involves a motor vehicle collision in DuPage County. The matter has been settled for the sum of \$5,629.57, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$5,629.57, made payable to Donald Mavigliano. Please forward the check to Nicholas Scouffas, Assistant State's Attorney, for transmittal.

- 314199 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,000.00 for the release and settlement of suit regarding Franklin McKillian v. Investigator Valdez, et al., Case No. 09-C-4433. This matter involves allegations of civil rights violations at the Skokie Courthouse. The matter has been settled for the sum of \$5,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$5,000.00, made payable to Franklin McKillian. Please forward the check to Nicholas Scouffas, Assistant State's Attorney, for transmittal.
- 314200 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,000.00 for the release and settlement of suit regarding Francisco Romero v. Cook County Department of Corrections, et al., Case No. 08-CV-41. This matter involves allegations of civil rights violations at the Jail. The matter has been settled for the sum of \$5,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$5,000.00, made payable to Francisco Romero. Please forward the check to Nicholas Scouffas, Assistant State's Attorney, for transmittal.
- 314201 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$42,500.00 for the release and settlement of suit regarding Rosemary Giacchetti, a minor, by Roxanne Sofia, her Aunt and next friend v. Dart, et al., Case No. 09-M3-1828. This matter involves an allegation of an Animal Control Act violation. The matter has been settled for the sum of \$42,500.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$42,500.00, made payable to Rosemary Giacchetti, a minor, by Roxanne Sofia, her aunt and next friend and Storto, Finn and Rosinski, her attorneys. Please forward the check to Shandra Leary, Assistant State's Attorney, for transmittal.
- 314237 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$3,473.22 for the release and settlement of suit regarding State Farm v. County of Cook, Case No. 10-M1-181186. This matter involves a motor vehicle collision on Cook County property. The matter has been settled for the sum of \$3,473.22, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$3,473.22, made payable to State Farm Insurance and James O'Dea. Please forward the check to Michael J. Sorich, Assistant State's Attorney, for transmittal.
- 314239 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,000.00 for the release and settlement of suit regarding Flenoid Haywood, Jr. v Zaleski, et al., Case No. 10-C-1148. This matter involves an allegation of a civil rights violation at the Jail. The matter has been settled for the sum of \$5,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$5,000.00, made payable to Flenoid Haywood, Jr. Please forward the check to Colleen Cavanaugh, Assistant State's Attorney, for transmittal.

- 314240 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,000.00 for the release and settlement of suit regarding Charles Pitts v. Thomas Dart, et al., Case No. 11-C-1661. This matter involves allegations of civil rights violations while Plaintiff was a pretrial detainee at the Department of Corrections. The matter has been settled for the sum of \$5,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$5,000.00, made payable to Charles Pitts and Kenneth N. Flaxman, P.C., his attorney. Please forward the check to Aaron R. Bond, Assistant State 's Attorney, for transmittal.
- 314241 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,000.00 for the release and settlement of suit regarding Ramon Tolbert v. Officer Fermaint, et al., Case No. 10-C-3782. This matter involves an allegation of a civil rights violation at the Jail. The matter has been settled for the sum of \$5,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$5,000.00, made payable to Ramon Tolbert. Please forward the check to Jill V. Ferrara, Assistant State's Attorney, for transmittal.
- 314248 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,000.00 for the release and settlement of suit regarding Anthony Fingl v. Cook County, et al., Case No. 11-C-328. This matter involves allegations of a civil rights violation at Stroger Hospital of Cook County. The matter has been settled for the sum of \$5,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$5,000.00, made payable to Anthony Fingl and Meyer & Kiss, his attorney. Please forward the check to Nicholas Scouffas, Assistant State's Attorney, for transmittal.
- 314252 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$631,191.77 for the release and settlement of suit regarding Shakman, et al. v. Cook County Recorder of Deeds, Case No. 69-C-2145. This matter involves a lawsuit filed in 1969 against the County of Cook, the Board of Commissioners, and the Cook County Recorder of Deeds among other defendants, involving claims of violations of the First Amendment to the U.S. Constitution. On September 14, 2010, the parties entered into a Supplemental Relief Order, which is designed to improve the hiring practices of the Recorder's of Deeds Office and resolve all pending civil matters involving any alleged violations of the Shakman Consent Decree.

Pursuant to the terms of the Recorder's Supplemental Relief Order, class members were allowed to file claims with the office of the Compliance Administrator for the Recorder of Deeds for alleged violations of the Shakman Consent Decree. On July 7, 2011, the Compliance Administrator completed her investigation of these Pre-Supplemental Relief Order claims and issued awards to 23 out of 64 claimants totaling \$631,191.77. Upon approval, the Comptroller will be provided with the information required to issue checks to the respective claimants in specified amounts. Please forward the checks to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE PREVIOUS ITEM.

PROPOSED SETTLEMENTS APPROVED FISCAL YEAR 2011 TO PRESENT: \$23,717,782.88
 PROPOSED SETTLEMENTS TO BE APPROVED: \$731,219.56

COMMISSIONER SILVESTRI, SECONDED BY VICE CHAIRMAN SIMS, MOVED APPROVAL OF THE PROPOSED SETTLEMENTS. THE MOTION CARRIED.

SECTION 7

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting that the County Board authorize payment of said claims.

Your Committee concurring in the requests of the Cook County Department of Risk Management, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, are authorized and directed to issue checks to claimants in the amounts recommended.

314179 PATIENT/ARRESTEE SETTLEMENT PROGRAM CLAIMS. The Department of Risk Management is submitting invoices totaling \$62,945.22, for payment of medical bills for services rendered to patients while in the custody of the Cook County Sheriff's Office. Their services were rendered under the Patient/Arrestee Settlement Program (542-274 Account). Bills were approved for payment after an audit by Cambridge Integrated Services Group or the Illinois Department of Healthcare and Family Services, and by the Department of Risk Management, who recommends payment based on Cook County State's Attorney's Legal Opinion No. 1879, dated July 14, 1987. Individual checks will be issued by the Comptroller in accordance with the attached report prepared by the Department of Risk Management.

	YEAR TO DATE	TO BE APPROVED
TOTAL BILLED	\$4,159,989.68	\$291,986.73
UNDOCUMENTED	\$1,393,245.22	\$27,412.48
IDHFS DISCOUNT	\$646,712.96	\$182,411.43
PROVIDER DISCOUNT	\$429,605.77	\$19,217.60
AMOUNT PAYABLE	\$1,690,425.73	\$62,945.22

COMMISSIONER SILVESTRI, SECONDED BY VICE CHAIRMAN SIMS, MOVED APPROVAL OF THE PATIENT/ARRESTEE CLAIMS. THE MOTION CARRIED.

CHAIRMAN DALEY VOTED PRESENT ON THE CLAIMS REGARDING MERCY HOSPITAL.

SECTION 8

Your Committee has considered the following communications received from the Employees' Injury Compensation Committee requesting that the County Board authorize payment of expenses regarding claims of Cook County employees injured while in the line of duty.

Your Committee, concurring in said requests, recommends that the County Comptroller and County Treasurer be, and upon the adoption of this report, are authorized and directed to issue checks in the amounts recommended to the claimants.

314282 THE EMPLOYEE'S INJURY COMPENSATION COMMITTEE, submitting invoice totaling \$1,068,039.82, for payment of medical bills for Workers' Compensation cases incurred by employees injured on duty. Individual checks will be issued by the Comptroller in accordance with the attached report prepared by the Department of Risk Management, Workers' Compensation Unit. This request covers bills received and processed from July 28 through September 1, 2011

EMPLOYEES' INJURY COMPENSATION CLAIMS APPROVED FISCAL YEAR

2011 TO PRESENT: \$5,731,751.70

EMPLOYEES' INJURY COMPENSATION CLAIMS TO BE APPROVED: \$1,068,039.82

COMMISSIONER SILVESTRI, SECONDED BY VICE CHAIRMAN SIMS, MOVED APPROVAL OF THE EMPLOYEES' INJURY COMPENSATION CLAIMS. THE MOTION CARRIED.

CHAIRMAN DALEY VOTED PRESENT ON THE CLAIMS REGARDING MERCY HOSPITAL.

SECTION 9

Your Committee was presented with the Revenue Report for the period ended July 31, 2011 for the Corporate, Public Safety and Health Funds, as presented by the Bureau of Finance.

COMMISSIONER GOSLIN, SECONDED BY COMMISSIONER GORMAN, MOVED TO RECEIVE AND FILE THE REVENUE REPORT. THE MOTION CARRIED.

SECTION 10

Your Committee has considered the bids submitted on the items hereinafter described in accordance with the specifications on file in the Office of the County Purchasing Agent. Communications from the County Purchasing Agent submitting recommendations on the award of contracts for said items, be and by the adoption of this Report, awarded as follows. The deposit checks are ordered returned to the unsuccessful bidders at once and to the successful bidder upon the signing of the contract.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE RECOMMENDATIONS REGARDING BID ITEMS 1 THROUGH 5. THE MOTION CARRIED.

BIDS RECOMMENDED FOR AWARD

Item 2 **CONTRACT NO. 11-53-17-REBID**

Testing, maintenance, repairs and inspection to certify fire fighting systems and equipment, for the Department of Facilities Management, to:

U.S. Fire & Safety Equipment Company \$146,230.50

Item 3 **CONTRACT NO. 11-53-049**

Countywide fire and life safety system replacement project-Juvenile Temporary Detention Center/West, for the Office of Capital Planning and Policy, to:

Divane Brothers Electric Company \$611,000.00

Item 5 **CONTRACT NO. 11-50-86**

Food service meals for prisoner lockups at court facilities excluding 26th & California, for Cook County Sheriff's Court Services Department, to:

Open Kitchens, Inc. \$312,741.00

BID RECOMMENDED FOR CANCELLATION AND REBID

Item 1 **CONTRACT NO. 10-53-199**

Unarmed Security Guard Service for Clerk of the Circuit Court

BID RECOMMENDED FOR CANCELLATION

Item 4 **CONTRACT NO. 11-83-57 REBID**

Maintenance, software for Cook County Bureau of Technology

SECTION 11

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

312117 **AN ORDINANCE AMENDMENT REVISING THE PROCUREMENT AND CONTRACTS CHAPTER OF THE CODE OF ORDINANCES OF COOK COUNTY, ILLINOIS, TITLE I GENERAL ORDINANCES, CHAPTER 34, FINANCE (PROPOSED ORDINANCE AMENDMENT).** Submitting a Proposed Ordinance Amendment sponsored by Earlean Collins and Larry Suffredin, County Commissioners.

AN ORDINANCE REVISING THE PROCUREMENT AND CONTRACTS CHAPTER OF THE CODE OF ORDINANCES OF COOK COUNTY, ILLINOIS

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title I General Ordinances, Chapter 34 Finance of the Code of Ordinances of Cook County, Illinois is amended as follows:

Sec. 34-121. Contracts for supplies, material and work.

C. All contracts for supplies, materials and equipment for Cook County, including the separately elected Officials, which involve an expenditure of \$100,000.000 or more shall be reviewed by a competent contract attorney from the Civil Actions Division of the Cook County State's Attorney's Office prior to final approval by the Board of Commissioners. The State's Attorney shall review the contract for content, validity, and legal sufficiency.

D. All contracts for professional and managerial services for Cook County, including the separately elected Officials, which involve an expenditure of \$25,000.000 or more shall be reviewed by a competent contract attorney from the Civil Actions Division of the Cook County State's Attorney's Office prior to final approval by the Board of Commissioners. The State's Attorney shall review the contract for content, validity, and legal sufficiency.

E. Prior to the approval of a winning vendor's bid for a contract, the Purchasing Agent shall conduct a thorough review of that vendor's background.

F. The Purchasing agent shall create and maintain an electronic revolving contract file.

G. Contracts shall not be let, renewed, extended or increased without a written performance evaluation. The results of the performance evaluation shall be reviewed by the finance committee for recommendation to the Board. The purchasing department should develop uniform criteria for such evaluations.

H. Purchasing agent shall routinely challenge all using agency's request to limit competition, particularly sole source purchases except for proprietary technological equipment and software.

I. All proposed contracts shall be made available for review by the Board of Commissioners at least three days before the Board of Commissioners takes final action on the contract.

***Referred to the Committee on Finance on 4-06-2011.**

****Deferred 7-25-11.**

COMMISSIONER COLLINS, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO DEFER COMMUNICATION NO. 312117. THE MOTION CARRIED.

312118

AN ORDINANCE REVISING THE PROCUREMENT AND CONTRACTS CHAPTER OF THE CODE OF ORDINANCES OF COOK COUNTY, ILLINOIS, TITLE I GENERAL ORDINANCES, CHAPTER 34, FINANCE (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Earlean Collins and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

AN ORDINANCE REVISING THE PROCUREMENT AND CONTRACTS

CHAPTER OF THE CODE OF ORDINANCES OF COOK COUNTY, ILLINOIS

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title I General Ordinances, Chapter 34 Finance of the Code of Ordinances of Cook County, Illinois is amended as follows:

Sec. 34-151. Purchase Procedures and Competitive Bidding.

(5) All RFP and/or RFQ generated proposals shall be made available to Commissioners 3 days prior to Board action.

(c) The Purchasing department shall establish intergovernmental agreements with State and local units of government for consolidated purchases.

(d) The Purchasing agent shall be give the authority to negotiate annual joint contracts through the bid process for goods and services in accordance with line item appropriation for all Cook County departments and units of government.

(e) The Cook County Board of Commissioners shall establish a Purchasing committee to work directly with the Purchasing agent.

***Referred to the Committee on Finance on 4-06-2011.**

****Deferred 7-25-11.**

COMMISSIONER COLLINS, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO DEFER COMMUNICATION NO. 312118. THE MOTION CARRIED.

313605

IDENTITY PROTECTION POLICY ESTABLISHING POLICY WITH REGARD TO THE COLLECTION, USE AND COMMUNICATION OF INDIVIDUALS' SOCIAL SECURITY NUMBERS (PROPOSED ORDINANCE). Submitting a Proposed Ordinance sponsored by Jesus G. Garcia and Peter N. Silvestri.

The following is a synopsis of the Proposed Ordinance.

PROPOSED ORDINANCE

**IDENTITY PROTECTION POLICY
ESTABLISHING POLICY WITH REGARD TO THE COLLECTION, USE AND
COMMUNICATION OF INDIVIDUALS' SOCIAL SECURITY NUMBERS**

WHEREAS, identity theft is a major and growing problem throughout the United States and in Cook County; and

WHEREAS, an individual's social security number is a primary means of identifying the individual, and the unauthorized disclosure of the individual's social security number creates a substantial risk that the individual's identity may be stolen; and

WHEREAS, certain County officers and agencies require individuals to disclose their social security numbers for various reasons, thus creating the potential for the theft of those individuals' identities if their social security numbers are further disclosed without authorization; and

WHEREAS, the improper management and/or disposal of information containing an individual's social security number may constitute criminal conduct punishable under Illinois law; and

WHEREAS, as it currently exists, the County Code contains no policy or directives as to the proper procedure for collecting, using and communicating social security numbers so as to prevent improper or accidental disclosure; and

WHEREAS, the County should take all necessary steps to ensure that the procedures used by its officers and agencies do not facilitate the theft of individuals' identities through the unauthorized disclosure of those individuals' social security numbers.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-588 of the Cook County Code is hereby enacted as follows:

Sec. 2-588. Identity protection policy.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-561 of the Cook County Code is hereby amended as follows:

Sec. 2-561. Definitions.

Effective Date: This Ordinance shall be in effect immediately upon adoption.

***Referred to the Committee on Finance on 4-06-2011.**

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO ACCEPT THE PROPOSED SUBSTITUTE ORDINANCE TO COMMUNICATION NO. 313605. THE MOTION CARRIED, AND THE PROPOSED ORDINANCE WAS AMENDED BY SUBSTITUTION, AS FOLLOWS:

**PROPOSED SUBSTITUTE ORDINANCE
TO COMMUNICATION NO. 313605**

Sponsored by

TONI PRECKWINKLE, President, and JESUS G. GARCIA, JOHN P. DALEY, JOHN A. FRITCHEY, JOAN PATRICIA MURPHY, EDWIN REYES, LARRY SUFFREDIN, JEFFREY R. TOBOLSKI, PETER N. SILVESTRI, County Commissioners

**IDENTITY PROTECTION POLICY
ESTABLISHING POLICY WITH REGARD TO THE COLLECTION, USE AND
COMMUNICATION OF INDIVIDUALS' SOCIAL SECURITY NUMBERS**

WHEREAS, identity theft is a major and growing problem throughout the United States and in Cook County; and

WHEREAS, an individual's social security number is a primary means of identifying the individual, and the unauthorized disclosure of the individual's social security number creates a substantial risk that the individual's identity may be stolen; and

WHEREAS, certain County officers and agencies require individuals to disclose their social security numbers for various reasons, thus creating the potential for the theft of those individuals' identities if their social security numbers are further disclosed without authorization; and

WHEREAS, the improper management and/or disposal of information containing an individual's social security number may constitute criminal conduct punishable under Illinois law; and

WHEREAS, as it currently exists, the County Code contains no policy or directives as to the proper procedure for collecting, using and communicating social security numbers so as to prevent improper or accidental disclosure; and

WHEREAS, the County should take all necessary steps to ensure that the procedures used by its officers and agencies do not facilitate the theft of individuals' identities through the unauthorized disclosure of those individuals' social security numbers.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-588 of the Cook County Code is hereby enacted as follows:

Sec. 2-588. Identity protection policy.

- (a) *Prohibited activities.* No officer or employee of the County shall do any

of the following:

- (1) Publicly post or publicly display in any manner an individual's social security number;
- (2) Print an individual's social security on any card required for the individual to access products or services provided by the person or entity;
- (3) Require an individual to transmit his or her social security number over the internet, unless the connection is secure or the social security number is encrypted;
- (4) Print an individual's social security number on any materials that are mailed to the individual, through the US Postal service, any private mail service, electronic mail, or any similar method of delivery, unless State or Federal law requires the social security number to be on the document to be mailed. A social security number that may be permissibly mailed under this Section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.
- (5) Collect, use or disclose a social security number from an individual, unless
 - (i) required to do so under State or Federal law, rules or regulations, or the collection, use or disclosure of the social security number is absolutely necessary for the performance of that agency's duties and responsibilities;
 - (ii) the need and purpose for the social security number is documented before collection of the social security number, and
 - (iii) the social security number collected is relevant to the documented need and purpose;
- (6) Require an individual to use his or her social security number to access an internet website;
- (7) Use the social security number for any purpose other than the purpose for which it was collected.

(b) *Exceptions.* The prohibitions in subsection (a) do not apply in the following circumstances:

- (1) The disclosure of social security numbers to agents, employees, contractors or subcontractors of the County or disclosure to another governmental entity or its agents, employees, contractors or subcontractors if disclosure is absolutely necessary in order for the entity to perform its duties and responsibilities;
- (2) The disclosure of social security numbers pursuant to a court order, warrant or subpoena;
- (3) The collection, use or disclosure of social security numbers if it is absolutely necessary in order to ensure the safety of County employees, persons committed to correctional facilities, local jails and other law enforcement facilities or retention centers; and all persons working in or

visiting a County facility;

- (4) The collection, use or disclosure of social security numbers if it is absolutely necessary for internal verification or administrative purposes;
- (5) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit such as a pension benefit such as a pension benefit or an unclaimed property benefit.

(c) *Conflicts.* Any standards of the County for the collection, use or disclosure of social security numbers that are stricter than the standards under this policy with respect to the protection of those social security numbers shall control in the event of any conflict with the provisions of this policy.

(d) *Public Inspection and Copying of Documents.* Notwithstanding any other provision of this policy to the contrary, all officers of the County must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. All officers and employees of the County must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

(e) *Applicability.*

- (1) This policy does not apply to the collection, use or disclosure of a social security number as required by State or Federal law, rule or regulation.
- (2) This policy does not apply to documents that are required to be open to the public under any State or Federal law, rule or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois.

(f) *Compliance with Federal Law.* If a Federal law takes effect requiring any Federal agency to establish a national unique patient health identifier program, the County shall follow that law.

(g) *Embedded Social Security Numbers.* No officer or employee of the County may encode or embed a social security number in or on a card or document including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this policy.

(h) *Identity Protection Requirements.* In accordance with the requirements of the Identity Protection Act, 5 ILCS 179/1 et seq.:

- (1) All officers, employees, and agents of the County identified as having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers.

Training shall include instructions on the proper handling of information that contains social security numbers from the time of collection to the time of destruction of such information.

- (2) Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
- (3) Social security numbers requested from an individual in permissible circumstances shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.
- (4) When collecting a social security number in permissible circumstances or upon request by the individual, a statement of the purpose(s) for which the County is collecting and using the social security number shall be provided.
- (5) The County shall advise its employees of the existence of this policy and make a copy of the policy available to each employee, and shall also make this privacy policy available to any member of the public upon request. If the County amends this privacy policy, then the County shall also advise its employees of the existence of the amended policy and make a copy of the amended policy available to each employee.

(i) Implementation. All County agencies shall adopt procedures to come into compliance with this policy by the effective date of this Ordinance.

(j) Violation. Any person who intentionally violates the prohibitions in Subsection (a) of this policy is guilty of a Class B misdemeanor. Suspected violations shall be reported to the Board of Ethics or the Office of the Independent Inspector General as soon as practicable, and they will refer violations to the ~~and/or~~ State's Attorney when appropriate for prosecution.

(k) Supersede. This policy does not supersede any more restrictive law, rule or regulation regarding the collection, use or disclosure of social security numbers. However, all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-561 of the Cook County Code is hereby amended as follows:

Sec. 2-561. Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Absolutely necessary means that another means of identification, such as employee

identification number, cannot be substituted for the social security number without frustrating the purpose of the request.

Agency means the County Board, any committee or other subdivision thereof, any County department or other administrative unit, commission, board or other division of the government of the County.

Board or Board of Ethics means the County Board of Ethics, as defined in Section 2-591.

Campaign for elective office means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities:

- (1) Relating to the support or opposition of any executive, legislative, or administrative action;
- (2) Relating to collective bargaining; or
- (3) That are otherwise in furtherance of the person's official duties.

Candidate means any person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election or who has raised or expended money in pursuit of elected office.

Collective bargaining has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 5/1-3).

Compensated time means any time worked by or credited to an employee that counts toward any minimum work time requirement imposed as a condition of employment but does not include any designated holidays or any period when the employee is on a leave of absence.

Compensation means money, thing of value or other pecuniary benefit received or to be received in return for, or as reimbursement for, services rendered or to be rendered.

Compensatory time off means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment.

Contract management authority means personal involvement in or direct supervisory responsibility for the formation or execution of a County contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.

Contribution has the same meaning as that term is defined in Section 9-1.4 of the

Election Code (10 ILCS 5/9-1.4).

County means the County and all government agencies of the County.

Economic interest means any interest valued or capable of valuation in monetary terms; provided that economic interest is subject to the same exclusion as financial interest.

Employee means an individual employed by the County whether part-time or full-time or by a contract of employment. The term “employee” shall include individuals employed by County Officers as referenced in Article VII, Section 4 of the Illinois Constitution. The term “employee” shall not include judges of election.

Financial interest means any of the following:

- (1) Any interest as a result of which the owner currently received or is entitled to receive in the future more than \$2,500.00 per year.
- (2) Any interest with a cost or present value of \$5,000.00 or more.
- (3) Any interest representing more than ten percent of a corporation, partnership, sole proprietorship, firm, enterprise, franchise, organization, holding company, joint stock company, receivership, trust, or any legal entity organized for profit; provided, however, the term “financial interest” shall not include any of the following:
 - a. Any ownership through purchase at fair market value of inheritance of less than one percent of the shares of a corporation, or any value of or dividends of such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.);
 - b. The authorized compensation paid to an official or employee for his or her office or employment;
 - c. Any economic benefit provided equally to all residents of the County;
 - d. A time or demand deposit in a financial institution;
 - e. An endowment or insurance policy or annuity contract purchased from an insurance company;
 - f. Any accrued pension rights in the County fund; or
 - g. With respect to a mutual fund, the individual securities of other instruments owned by the mutual fund.

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an official or employee.

Leave of absence means any period during which an employee does not receive compensation for employment, service credit towards pension benefits, and health insurance benefits paid for by the employer.

Legislative action means the introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto or other official action or nonaction on any ordinance, resolution, motion, order, appointment, application or other matter pending or proposed in the County Board or any committee or subcommittee thereof.

Official means any elected County official or appointed official regardless of whether the official is compensated or any appointed nonemployee member of any agency of the County.

Person means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit.

Political activity means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities relating to the support or opposition of any executive, legislative or administrative action; relating to collective bargaining; or that are otherwise in furtherance of the person's official duties.

Political fundraising committee means any fund, organization, political action committee or other entity that, for purposes of influencing in any way the outcome of any election, receives or expends money or anything of value or transfers money or anything of value to any other fund, political party, candidate, organization, political action committee, or other entity.

Political organization means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9.3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

Prohibited political activity means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding any thing of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum

question.

- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum questions or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

Prohibited source means any person or entity who:

- (1) Is seeking official action:
 - a. By the official; or
 - b. In the case of an employee, by the employee or by the official, County agency or other employee directing the employee.
- (2) Does business or seeks to do business:

- a. With the official; or
 - b. In the case of an employee, with the employee or with the official, County agency or other employee directing the employee.
- (3) Conducts activities regulated:
- a. By the official; or
 - b. In the case of an employee, by the official, County agency or other employee directing the employee.
- (4) Has interests that may be substantially affected by the performance or nonperformance of the official duties of the official or employee; or
- (5) Is registered or required to be registered with the County pursuant to the Cook County Lobbyist Ordinance, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors.

Publicly post or publicly display means to intentionally communicate or otherwise intentionally make available to the general public.

Single candidacy means the time period during which a candidate is seeking office with primary election and general election being separate candidacies.

Statement means the disclosure of economic interest form required to be filed by the Illinois Governmental Ethics Act (5 ILCS 420/4A-101 et seq.).

Effective Date: This Ordinance shall be in effect ~~immediately upon~~ 90 days following adoption.

COMMISSIONER GARCIA, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT (COMMUNICATION NO. 313605), AS AMENDED. THE MOTION CARRIED.

**11-O-76
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND JESUS G. GARCIA,
JOHN P. DALEY, JOHN A. FRITCHEY, JOAN PATRICIA MURPHY, EDWIN REYES,
LARRY SUFFREDIN, JEFFREY R. TOBOLSKI AND PETER N. SILVESTRI
COUNTY COMMISSIONERS**

IDENTITY PROTECTION POLICY ESTABLISHING POLICY

**WITH REGARD TO THE COLLECTION, USE AND COMMUNICATION
OF INDIVIDUALS' SOCIAL SECURITY NUMBERS**

WHEREAS, identity theft is a major and growing problem throughout the United States and in Cook County; and

WHEREAS, an individual's social security number is a primary means of identifying the individual, and the unauthorized disclosure of the individual's social security number creates a substantial risk that the individual's identity may be stolen; and

WHEREAS, certain County officers and agencies require individuals to disclose their social security numbers for various reasons, thus creating the potential for the theft of those individuals' identities if their social security numbers are further disclosed without authorization; and

WHEREAS, the improper management and/or disposal of information containing an individual's social security number may constitute criminal conduct punishable under Illinois law; and

WHEREAS, as it currently exists, the County Code contains no policy or directives as to the proper procedure for collecting, using and communicating social security numbers so as to prevent improper or accidental disclosure; and

WHEREAS, the County should take all necessary steps to ensure that the procedures used by its officers and agencies do not facilitate the theft of individuals' identities through the unauthorized disclosure of those individuals' social security numbers.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-588 of the Cook County Code is hereby enacted as follows:

Sec. 2-588. Identity protection policy.

(a) *Prohibited activities.* No officer or employee of the County shall do any of the following:

- (1) Publicly post or publicly display in any manner an individual's social security number;
- (2) Print an individual's social security on any card required for the individual to access products or services provided by the person or entity;
- (3) Require an individual to transmit his or her social security number over the internet, unless the connection is secure or the social security number is encrypted;
- (4) Print an individual's social security number on any materials that are mailed to the individual, through the US Postal service, any private mail service, electronic mail, or any similar method of delivery, unless State or Federal law requires the social security number to be on the document to be mailed. A social security number that may be permissibly mailed under this Section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.
- (5) Collect, use or disclose a social security number from an individual, unless (i) required to do so under State or Federal law, rules or regulations, or the collection, use or disclosure

of the social security number is absolutely necessary for the performance of that agency's duties and responsibilities; (ii) the need and purpose for the social security number is documented before collection of the social security number, and (iii) the social security number collected is relevant to the documented need and purpose;

- (6) Require an individual to use his or her social security number to access an internet website;
- (7) Use the social security number for any purpose other than the purpose for which it was collected.

(b) *Exceptions.* The prohibitions in subsection (a) do not apply in the following circumstances:

- (1) The disclosure of social security numbers to agents, employees, contractors or subcontractors of the County or disclosure to another governmental entity or its agents, employees, contractors or subcontractors if disclosure is absolutely necessary in order for the entity to perform its duties and responsibilities;
- (2) The disclosure of social security numbers pursuant to a court order, warrant or subpoena;
- (3) The collection, use or disclosure of social security numbers if it is absolutely necessary in order to ensure the safety of County employees, persons committed to correctional facilities, local jails and other law enforcement facilities or retention centers; and all persons working in or visiting a County facility;
- (4) The collection, use or disclosure of social security numbers if it is absolutely necessary for internal verification or administrative purposes;
- (5) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit such a pension benefit such as a pension benefit or an unclaimed property benefit.

(c) *Conflicts.* Any standards of the Ceounty for the collection, use or disclosure of social security numbers that are stricter than the standards under this policy with respect to the protection of those social security numbers shall control in the event of any conflict with the provisions of this policy.

(d) *Public Inspection and Copying of Documents.* Notwithstanding any other provision of this policy to the contrary, all officers of the County must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. All officers and employees of the Ceounty must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

(e) *Applicability.*

- (1) This policy does not apply to the collection, use or disclosure of a social security number as required by State or Federal law, rule or regulation.

- (2) This policy does not apply to documents that are required to be open to the public under any State or Federal law, rule or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois.

(f) *Compliance with Federal Law.* If a Federal law takes effect requiring any Federal agency to establish a national unique patient health identifier program, the County shall follow that law.

(g) *Embedded Social Security Numbers.* No officer or employee of the County may encode or embed a social security number in or on a card or document including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this policy.

(h) *Identity Protection Requirements.* In accordance with the requirements of the Identity Protection Act, 5 ILCS 179/1 et seq.:

- (1) All officers, employees, and agents of the County identified as having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training shall include instructions on the proper handling of information that contains social security numbers from the time of collection to the time of destruction of such information.
- (2) Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
- (3) Social security numbers requested from an individual in permissible circumstances shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.
- (4) When collecting a social security number in permissible circumstances or upon request by the individual, a statement of the purpose(s) for which the County is collecting and using the social security number shall be provided.
- (5) The County shall advise its employees of the existence of this policy and make a copy of the policy available to each employee, and shall also make this privacy policy available to any member of the public upon request. If the County amends this privacy policy, then the County shall also advise its employees of the existence of the amended policy and make a copy of the amended policy available to each employee.

(i) *Implementation.* All County agencies shall adopt procedures to come into compliance with this policy by the effective date of this Ordinance.

(j) *Violation.* Any person who intentionally violates the prohibitions in Subsection (a) of this policy is guilty of a Class B misdemeanor. Suspected violations shall be reported to the Board of Ethics or the Office of the Independent Inspector General as soon as practicable, and they will refer violations to the State's Attorney when appropriate for prosecution.

(k) *Supersede.* This policy does not supersede any more restrictive law, rule or regulation regarding the collection, use or disclosure of social security numbers. However, all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-561 of the Cook County Code is hereby amended as follows:

Sec. 2-561. Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Absolutely necessary means that another means of identification, such as employee identification number, cannot be substituted for the social security number without frustrating the purpose of the request.

Agency means the County Board, any committee or other subdivision thereof, any County department or other administrative unit, commission, board or other division of the government of the County.

Board or Board of Ethics means the County Board of Ethics, as defined in Section 2-591.

Campaign for elective office means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities:

- (1) Relating to the support or opposition of any executive, legislative, or administrative action;
- (2) Relating to collective bargaining; or
- (3) That are otherwise in furtherance of the person's official duties.

Candidate means any person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election or who has raised or expended money in pursuit of elected office.

Collective bargaining has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 5/1-3).

Compensated time means any time worked by or credited to an employee that counts toward any minimum work time requirement imposed as a condition of employment but does not include any designated holidays or any period when the employee is on a leave of absence.

Compensation means money, thing of value or other pecuniary benefit received or to be received in return for, or as reimbursement for, services rendered or to be rendered.

Compensatory time off means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment.

Contract management authority means personal involvement in or direct supervisory responsibility for the formation or execution of a County contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.

Contribution has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

County means the County and all government agencies of the County.

Economic interest means any interest valued or capable of valuation in monetary terms; provided that economic interest is subject to the same exclusion as financial interest.

Employee means an individual employed by the County whether part-time or full-time or by a contract of employment. The term “employee” shall include individuals employed by County Officers as referenced in Article VII, Section 4 of the Illinois Constitution. The term “employee” shall not include judges of election.

Financial interest means any of the following:

- (1) Any interest as a result of which the owner currently received or is entitled to receive in the future more than \$2,500.00 per year.
- (2) Any interest with a cost or present value of \$5,000.00 or more.
- (3) Any interest representing more than ten percent of a corporation, partnership, sole proprietorship, firm, enterprise, franchise, organization, holding company, joint stock company, receivership, trust, or any legal entity organized for profit; provided, however, the term “financial interest” shall not include any of the following:
 - a. Any ownership through purchase at fair market value of inheritance of less than one percent of the shares of a corporation, or any value of or dividends of such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.);
 - b. The authorized compensation paid to an official or employee for his or her office or employment;
 - c. Any economic benefit provided equally to all residents of the County;
 - d. A time or demand deposit in a financial institution;
 - e. An endowment or insurance policy or annuity contract purchased from an insurance company;
 - f. Any accrued pension rights in the County fund; or
 - g. With respect to a mutual fund, the individual securities of other instruments owned by the mutual fund.

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an official or employee.

Leave of absence means any period during which an employee does not receive compensation for employment, service credit towards pension benefits, and health insurance benefits paid for by the employer.

Legislative action means the introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto or other official action or nonaction on any ordinance, resolution, motion, order, appointment, application or other matter pending or proposed in the County Board or any committee or subcommittee thereof.

Official means any elected County official or appointed official regardless of whether the official is compensated or any appointed nonemployee member of any agency of the County.

Person means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit.

Political activity means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities relating to the support or opposition of any executive, legislative or administrative action; relating to collective bargaining; or that are otherwise in furtherance of the person's official duties.

Political fundraising committee means any fund, organization, political action committee or other entity that, for purposes of influencing in any way the outcome of any election, receives or expends money or anything of value or transfers money or anything of value to any other fund, political party, candidate, organization, political action committee, or other entity.

Political organization means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9.3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

Prohibited political activity means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding any thing of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum questions or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

Prohibited source means any person or entity who:

- (1) Is seeking official action:
 - a. By the official; or
 - b. In the case of an employee, by the employee or by the official, County agency or other employee directing the employee.
- (2) Does business or seeks to do business:
 - a. With the official; or
 - b. In the case of an employee, with the employee or with the official, County agency or other employee directing the employee.
- (3) Conducts activities regulated:

- a. By the official; or
 - b. In the case of an employee, by the official, County agency or other employee directing the employee.
- (4) Has interests that may be substantially affected by the performance or nonperformance of the official duties of the official or employee; or
- (5) Is registered or required to be registered with the County pursuant to the Cook County Lobbyist Ordinance, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors.

Publicly post or publicly display means to intentionally communicate or otherwise intentionally make available to the general public.

Single candidacy means the time period during which a candidate is seeking office with primary election and general election being separate candidacies.

Statement means the disclosure of economic interest form required to be filed by the Illinois Governmental Ethics Act (5 ILCS 420/4A-101 et seq.).

Effective Date: This Ordinance shall be in effect 90 days following adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313634 **AMENDING THE PREVAILING WAGE ORDINANCE AND CHAPTER 44 HUMAN RESOURCES (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

**AMENDING THE PREVAILING WAGE ORDINANCE
AND CHAPTER 44 HUMAN RESOURCES**

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Sec. 34-128 and Sec. 34-128.5 and Chapter 44 Human Resources, Sec. 44-45 of the Cook County Code are hereby amended as follows:

Sec. 34-128. Prevailing wage.

(c) The Bureau of Human Resources shall publicly post or keep available for inspection by any interested party in the main office of this Bureau of Human Resources (County) this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

Sec. 34-128.5. - General prevailing rate of wages for employees on service contracts.

(d) Such prevailing wages and working conditions shall be determined by the Chief of the Bureau of Human Resources and shall be specified in the call for bids for the services contract for each type of worker needed to execute the contract or perform such services. There shall also be inserted in the contract a stipulation that not less than the prevailing rate of wages as found by the Chief of the Bureau of Human Resources shall be paid to all laborers, workers and mechanics performing services under the contract. It shall further be required in all contractor's bonds that the contractor include such provisions as will guarantee the faithful performance of such prevailing wage clause as provided by the services contract.

(8) The prevailing rate of wages and prevailing working conditions for Covered Services shall be determined by the Chief of the Bureau of Human Resources. For purposes of this Sec., the term "prevailing rate of wages" means the hourly cash wages plus fringe benefits for health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character. Whenever a collective bargaining agreement is in effect between the Building Owners and Managers Association of Chicago and employees who are represented by a responsible labor organization, such agreement and its provisions shall be considered as conditions prevalent in that locality by the Chief of the Bureau of Human Resources.

(9) The Bureau of Human Resources shall post on the County website or keep available for inspection the current prevailing rates of wages.

Effective date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 7-12-11.**

****Deferred 7-25-11.**

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER TOBOLSKI, MOVED TO ACCEPT THE PROPOSED SUBSTITUTE ORDINANCE AMENDMENT TO COMMUNICATION NO. 3136234. THE MOTION CARRIED, AND THE PROPOSED ORDINANCE WAS AMENDED BY SUBSTITUTION, AS FOLLOWS:

**PROPOSED SUBSTITUTE ORDINANCE AMENDMENT
TO COMMUNICATION NO. 313634**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JOHN P. DALEY, JESUS GARCIA, ROBERT B. STEEL AND LARRY SUFFREDIN, PETER N. SILVESTRI,
COOK COUNTY COMMISSIONERS**

**AMENDING THE PREVAILING WAGE ORDINANCE AND CHAPTER 44
HUMAN RESOURCES**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Article IV, Division I, Sec. 34-128 and Sec. 34-128.5 is hereby amended as follows:

Sec. 34-128. Prevailing wage.

(a) To the extent and as required by the Prevailing Wage Act (820 ILCS 130/0.01 et seq.), the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in the construction of public works coming under the jurisdiction of this County is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Cook County area as determined by the Department of Labor of the State of Illinois, a copy of that determination being submitted hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the County of Cook. The definition of any terms appearing in this section which are also used in aforesaid Act shall be the same as in said Act.

(b) Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of this County to the extent required by the aforesaid Act.

~~(c) The Bureau of Human Resources shall publicly post or keep available for inspection by any interested party in the main office of this Bureau of Human Resources (County) this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.~~

(d) The Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

(e) The Bureau of Human Resources shall promptly file a certified copy of the ordinance from which this section is derived with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

(e) The Bureau of Human Resources shall cause to be published in a newspaper of general circulation within the area a copy of the ordinance from which this section is derived, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

(f) The Purchasing Agent of Cook County shall specify in the call for bids in any contract for public works that the general prevailing rate of wages in the locality for each craft or type of laborer or mechanic needed to execute the contract to perform such work, also the general prevailing rate for legal holiday and overtime work as ascertained by the Bureau of Human Resources, shall be paid for each craft or type of work needed to execute the contract or to perform such work. The Purchasing Agent in awarding the contract shall

cause to be inserted in the contract a stipulation to the effect that not less than the prevailing rate of wages, as found by the Bureau of Human Resources, shall be paid to all laborers, workers and mechanics performing work under the contract, and the Purchasing Agent shall also require in all such contractor's bonds that the contract include such provision as will guarantee the faithful performance of such prevailing wage clause as provided by the contract.

(g) In accordance with 820 ILCS 130/0.01 et seq., in the case of any underpayment of the prevailing wage determined by the Illinois Department of Labor, a penalty of 20 percent of the underpayment shall be assessed against the contractor or subcontractor by the Department of Labor; and the 20 percent penalty shall be payable to the Illinois Department of Labor. Any underpayment that has not been repaid to a worker within 30 days of violation is subject to an additional two percent of the underpayment as a punitive damage assessment payable to the worker.

(h) In accordance with 820 ILCS 130/0.01 et seq. there is an automatic two-year debarment of any contractor or subcontractor found to have violated the Illinois Prevailing Wage Act on two separate occasions. An affected contractor or subcontractor may request the Illinois Department of Labor to hold a hearing on the alleged violations within ten days notification of the second violation. Any contractor or subcontractor subject to the two-year debarment by the Illinois Department of Labor shall be disqualified from future contracts with the County for the period of said debarment.

Sec. 34-128.5. - General prevailing rate of wages for employees on service contracts.

(a) Not less than the general prevailing rate of wages and working conditions for services of a similar character in the locality in which the services are performed or produced shall be paid and provided to any laborer, worker and mechanic engaged in the provision of services under a services contract with the County of Cook.

(b) As used in this Ordinance, "services contract" means any contract with the County of Cook, other than a public works contract, to provide janitorial cleaning services, window cleaning services, elevator operator and starter services, and security services.

(c) In order to be considered a responsible bidder for purposes of any services contract with the County of Cook, the bidder shall certify to the Chief of the Bureau of Human Resources that wages paid to its employees are no less, and fringe benefits and working conditions of such employees are no less favorable, than those prevailing in the locality in which the contract is to be performed.

~~(d) Such prevailing wages and working conditions shall be determined by the Chief of the Bureau of Human Resources and shall be specified in the call for bids for the services contract for each type of worker needed to execute the contract or perform such services. There shall also be inserted in the contract a stipulation that not less than the prevailing rate of wages as found by the Chief of the Bureau of Human Resources shall be paid to all laborers, workers and mechanics performing services under the contract. It shall further be required in all contractor's bonds that the contractor include such provisions as will guarantee the faithful performance of such prevailing wage clause as provided by the services contract.~~

(e) Whenever a collective bargaining agreement is in effect between the Building

Owners and Managers Association of Chicago and employees who are represented by a responsible labor organization which [is] in no way influenced or controlled by the employer, such agreement and its provisions shall be considered as conditions prevalent in that locality by the Chief of the Bureau of Human Resources.

(f) As used in this Ordinance, the term "general prevailing rate of wages" means the hourly cash wages plus fringe benefits for health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on services contracts.

(g) This Section shall not apply to any services contract with the County of Cook entered into prior to the effective date of the Section.

(h) This Section does not apply to services furnished under contracts for professional or artistic services.

(i) All resolutions or ordinances or parts thereof in conflict with the provision of this Section to the extent of such conflict are hereby repealed effective upon passage of the Section.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 44, Bureau of Human Resources, Article II, Sec. 44-45 be amended as follows:

Sec. 44-45. Bureau of Human Resources

(a) *Established; Chief of Human Resources to be Chief Executive Officer of Bureau of Human Resources.* There is hereby established a bureau which shall be known as the Bureau of Human Resources. The Chief of Human Resources shall be the chief executive officer of the Bureau of Human Resources and shall be appointed by the President and shall serve at the pleasure of the President. The Chief of Human Resources shall be responsible for the general management and control of the Bureau of Human Resources in a manner consistent with the ordinances of the County, the laws of the state, and the rules of the Bureau.

(b) *Powers and duties of Chief of Human Resources.* The Chief of Human Resources shall have the power and duty to:

(1) Encourage and exercise leadership in the development of effective human resources management within the several departments in the County service, and to make available the facilities of the Bureau of Human Resources to this end;

(2) Advise department heads, including elected officials, and the budget director as to the correct classification of a position before it is included in the budget and before an appointment is made. No appointment shall be approved without the prior approval of the Chief of Human Resources as to the classification of the position;

(3) Foster and develop:

a. Programs for the administration of human resource functions including position classification, salary administration, employee benefits, collective bargaining, labor management relations, employee communications, safety and health for

the employees in all County departments including departments headed by elected officials; and

b. Programs for a professional and progressive merit based system for human resources management (hereafter "career service"). Career service shall include programs for recruitment, selection, discipline, grievance, promotion, affirmative action, performance management, probationary periods and training.

(4) Establish and maintain records of all employees in the County service, in which there shall be set forth as to each employee the class title, pay and status, and other relevant data;

(5) Certify that persons named on every payroll have been appointed and employed in accordance with the current budget; in addition, for employees under the direction and control of the President certify that persons named on payrolls have been appointed and employed in accordance with the provisions of this article and the rules adopted under this article. No disbursing or auditing officer shall make or approve or take any part in making or approving any payment for personnel service to those persons holding a position in the County service unless said payroll voucher or account of such pay bears the certification of the Chief of Human Resources or authorized agent;

(6) Apply and carry out this article and the rules thereunder and to perform any other lawful acts which may be necessary or desirable to carry out the purpose and provisions of this article;

(7) Delegate responsibility where necessary to a department head or departmental designee subject to audit and approval by the Chief of Human Resources.

(8) The prevailing rate of wages and prevailing working conditions for Covered Services shall be determined by the Chief of the Bureau of Human Resources. For purposes of this Sec., the term "prevailing rate of wages" means the hourly cash wages plus fringe benefits for health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character. Whenever a collective bargaining agreement is in effect between the Building Owners and Managers Association of Chicago and employees who are represented by a responsible labor organization, such agreement and its provisions shall be considered as conditions prevalent in that locality by the Chief of the Bureau of Human Resources.

(9) The Bureau of Human Resources shall post on the County website or keep available for inspection the current prevailing rates of wages.

Effective date: This Ordinance shall be in effect immediately upon adoption.

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED SUBSTITUTE ORDINANCE AMENDMENT (COMMUNICATION NO. 313634), AS AMENDED. THE MOTION CARRIED.

11-O-77

ORDINANCE

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND JOHN P. DALEY,
JESUS G. GARCIA, ROBERT B. STEELE, LARRY SUFFREDIN AND PETER N. SILVESTRI
COUNTY COMMISSIONERS**

**AMENDING THE PREVAILING WAGE ORDINANCE
AND CHAPTER 44 HUMAN RESOURCES**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Article IV, Division I, Section 34-128 and Section 34-128.5 is hereby amended as follows:

Sec. 34-128. Prevailing wage.

(a) To the extent and as required by the Prevailing Wage Act (820 ILCS 130/0.01 et seq.), the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in the construction of public works coming under the jurisdiction of this County is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Cook County area as determined by the Department of Labor of the State of Illinois, a copy of that determination being submitted hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the County of Cook. The definition of any terms appearing in this section which are also used in aforesaid Act shall be the same as in said Act.

(b) Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of this County to the extent required by the aforesaid Act.

(c) The Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

(d) The Bureau of Human Resources shall promptly file a certified copy of the ordinance from which this section is derived with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

(e) The Bureau of Human Resources shall cause to be published in a newspaper of general circulation within the area a copy of the ordinance from which this section is derived, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

(f) The Purchasing Agent of Cook County shall specify in the call for bids in any contract for public works that the general prevailing rate of wages in the locality for each craft or type of laborer or mechanic needed to execute the contract to perform such work, also the general prevailing rate for legal holiday and overtime work as ascertained by the Bureau of Human Resources, shall be paid for each craft or type of work needed to execute the contract or to perform such work. The Purchasing Agent in awarding the contract shall cause to be inserted in the contract a stipulation to the effect that not less than

the prevailing rate of wages, as found by the Bureau of Human Resources, shall be paid to all laborers, workers and mechanics performing work under the contract, and the Purchasing Agent shall also require in all such contractor's bonds that the contract include such provision as will guarantee the faithful performance of such prevailing wage clause as provided by the contract.

(g) In accordance with 820 ILCS 130/0.01 et seq., in the case of any underpayment of the prevailing wage determined by the Illinois Department of Labor, a penalty of 20 percent of the underpayment shall be assessed against the contractor or subcontractor by the Department of Labor; and the 20 percent penalty shall be payable to the Illinois Department of Labor. Any underpayment that has not been repaid to a worker within 30 days of violation is subject to an additional two percent of the underpayment as a punitive damage assessment payable to the worker.

(h) In accordance with 820 ILCS 130/0.01 et seq. there is an automatic two-year debarment of any contractor or subcontractor found to have violated the Illinois Prevailing Wage Act on two separate occasions. An affected contractor or subcontractor may request the Illinois Department of Labor to hold a hearing on the alleged violations within ten days notification of the second violation. Any contractor or subcontractor subject to the two-year debarment by the Illinois Department of Labor shall be disqualified from future contracts with the County for the period of said debarment.

Sec. 34-128.5. General prevailing rate of wages for employees on service contracts.

(a) Not less than the general prevailing rate of wages and working conditions for services of a similar character in the locality in which the services are performed or produced shall be paid and provided to any laborer, worker and mechanic engaged in the provision of services under a services contract with the County of Cook.

(b) As used in this Ordinance, "services contract" means any contract with the County of Cook, other than a public works contract, to provide janitorial cleaning services, window cleaning services, elevator operator and starter services, and security services.

(c) In order to be considered a responsible bidder for purposes of any services contract with the County of Cook, the bidder shall certify to the Chief of the Bureau of Human Resources that wages paid to its employees are no less, and fringe benefits and working conditions of such employees are no less favorable, than those prevailing in the locality in which the contract is to be performed.

(d) Whenever a collective bargaining agreement is in effect between the Building Owners and Managers Association of Chicago and employees who are represented by a responsible labor organization which [is] in no way influenced or controlled by the employer, such agreement and its provisions shall be considered as conditions prevalent in that locality by the Chief of the Bureau of Human Resources.

(e) As used in this Ordinance, the term "general prevailing rate of wages" means the hourly cash wages plus fringe benefits for health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on services contracts.

(f) This Section shall not apply to any services contract with the County of Cook entered into prior to the effective date of the Section.

(g) This Section does not apply to services furnished under contracts for professional or artistic services.

(h) All Resolutions or Ordinances or parts thereof in conflict with the provision of this Section to the extent of such conflict are hereby repealed effective upon passage of the Section.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 44, Bureau of Human Resources, Article II, Section 44-45 be amended as follows:

Sec. 44-45. Bureau of Human Resources

(a) *Established; Chief of Human Resources to be Chief Executive Officer of Bureau of Human Resources.* There is hereby established a bureau which shall be known as the Bureau of Human Resources. The Chief of Human Resources shall be the chief executive officer of the Bureau of Human Resources and shall be appointed by the President and shall serve at the pleasure of the President. The Chief of Human Resources shall be responsible for the general management and control of the Bureau of Human Resources in a manner consistent with the ordinances of the County, the laws of the state, and the rules of the Bureau.

(b) *Powers and duties of Chief of Human Resources.* The Chief of Human Resources shall have the power and duty to:

- (1) Encourage and exercise leadership in the development of effective human resources management within the several departments in the County service, and to make available the facilities of the Bureau of Human Resources to this end;
- (2) Advise department heads, including elected officials, and the budget director as to the correct classification of a position before it is included in the budget and before an appointment is made. No appointment shall be approved without the prior approval of the Chief of Human Resources as to the classification of the position;
- (3) Foster and develop:
 - a. Programs for the administration of human resource functions including position classification, salary administration, employee benefits, collective bargaining, labor management relations, employee communications, safety and health for the employees in all County departments including departments headed by elected officials; and
 - b. Programs for a professional and progressive merit based system for human resources management (hereafter "career service"). Career service shall include programs for recruitment, selection, discipline, grievance, promotion, affirmative action, performance management, probationary periods and training.
- (4) Establish and maintain records of all employees in the County service, in which there shall be set forth as to each employee the class title, pay and status, and other relevant data;
- (5) Certify that persons named on every payroll have been appointed and employed in accordance with the current budget; in addition, for employees under the direction and control of the President certify that persons named on payrolls have been appointed and employed in accordance with the provisions of this article and the rules adopted under this article. No disbursing or auditing officer shall make or approve or take any part in

making or approving any payment for personnel service to those persons holding a position in the County service unless said payroll voucher or account of such pay bears the certification of the Chief of Human Resources or authorized agent;

- (6) Apply and carry out this article and the rules thereunder and to perform any other lawful acts which may be necessary or desirable to carry out the purpose and provisions of this article;
- (7) Delegate responsibility where necessary to a department head or departmental designee subject to audit and approval by the Chief of Human Resources.
- (8) The prevailing rate of wages and prevailing working conditions for Covered Services shall be determined by the Chief of the Bureau of Human Resources. For purposes of this Sec., the term "prevailing rate of wages" means the hourly cash wages plus fringe benefits for health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character. Whenever a collective bargaining agreement is in effect between the Building Owners and Managers Association of Chicago and employees who are represented by a responsible labor organization, such agreement and its provisions shall be considered as conditions prevalent in that locality by the Chief of the Bureau of Human Resources.
- (9) The Bureau of Human Resources shall post on the County website or keep available for inspection the current prevailing rates of wages.

Effective date: This Ordinance Amendment shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313635 **RELOCATING DIVISION 7 – INTERGOVERNMENTAL CONTRACTS AND DIVISION 8 – PREDATORY LENDERS FROM THE PROCUREMENT CODE TO OTHER CHAPTERS OF THE COUNTY CODE (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

RELOCATING DIVISION 7 – INTERGOVERNMENTAL CONTRACTS AND DIVISION 8 – PREDATORY LENDERS FROM THE PROCUREMENT CODE TO OTHER CHAPTERS OF THE COUNTY CODE

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Sec. 34-311 through Sec. 34-343 and Chapter 2 Administration, Sec.

2-950 through 2-953 and Sec. 2-407 of the Cook County Code are hereby amended as follows:

~~DIVISION 7~~ ARTICLE XI. INTERGOVERNMENTAL CONTRACTS

Sec. ~~34-311~~ 2-950. Authorized.

Sec. ~~34-312~~ 2-951. Intergovernmental activity by County officers and employees.

Sec. ~~34-313~~ 2-952. Intergovernmental agreements temporary.

Sec. ~~34-314~~ 2-953. Review of contracts by County Board and State's Attorney.

~~Sec. 34-315. Computation of cost.~~

~~The cost to be charged the governmental unit pursuant to the provisions of this division shall include, in addition to actual cost for goods and services, a factor to be determined in each individual contract to recompense the County for the burden assumed for participation in such agreement.~~

~~DIVISION 8. PREDATORY LENDERS~~

Sec. ~~34-340~~ 2-407. ~~Short title~~ Predatory lending ordinance.

~~This division~~ section may be cited as the Cook County Predatory Lending Ordinance.

~~Sec. 34-341. Definitions.~~

(a) Definitions. The following words, terms and phrases, when used in this ~~division~~ section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~Sec. 34-342. County contracts.~~

(b) County contracts.

~~(a)~~ (1) The Chief Financial Officer shall determine whether any financial institution seeking a contract with the County is a predatory lender as defined in this division section. If the Chief Financial Officer determines that any such financial institution is a predatory lender, the County will not award a contract to such financial institution. For purposes of this division section, a County contract shall not include designation as a County depository. The Chief Financial Officer shall notify the Treasurer of this determination.

~~(b)~~ (2) With each bid or offer submitted by a financial institution for any contract with the County, there shall be a pledge signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer. The pledge shall be in substantially the following form:

We pledge that we are not and will not become a predatory lender as defined in Cook

County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the County.

~~(e)~~ (3) Nothing in this division ~~section~~ shall affect the validity of any contract entered into in connection with any debt obligations issued by or on behalf of the County prior to a determination by the Chief Financial Officer that an entity participating in the contract is a predatory lender.

~~(d)~~ (4) The Chief Financial Officer, at the direction of the President of the County Board, may suspend the ineligibility of a financial institution in order to allow Execution of a contract with the financial institution upon written application by the head of a County agency or department affected by the proposed contract setting forth facts sufficient in the judgment of the purchasing agent to establish:

~~(1)~~ a. That the public health, safety or welfare of the County requires the goods or services of the financial institution; and

~~(2)~~ b. That the County is unable to acquire the goods or services at comparable price and quality, and in sufficient quantity, from other sources.

~~Sec. 34-343. County depositories.~~

(c) County depositories.

~~(a)~~ (1) All financial institutions, seeking designation as a County depository by the County Board upon the request of the Treasurer, shall submit to the Chief Financial Officer, prior to any such designation, a pledge affirming that neither it nor any of its affiliates is or will become a predatory lender within the County. Upon receipt, the Chief Financial Officer shall forward this pledge to the Treasurer. The pledge shall be signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer. The pledge shall be in substantially the following form:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of our designation as a County depository.

~~(b)~~ (2) Upon receipt of any written complaint regarding predatory lending practices by any financial institution seeking designation as a County depository or serving as a County depository, the Chief Financial Officer shall refer such complaints to the Treasurer who may conduct an investigation of the complaint in accordance with the Treasurer's policies and procedures.

Effective date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 7-12-11.**

****Deferred 7-25-11.**

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER TOBOLSKI, MOVED TO ACCEPT THE PROPOSED SUBSTITUTE ORDINANCE AMENDMENT TO COMMUNICATION NO. 313635. THE MOTION CARRIED AND THE PROPOSED ORDINANCE WAS AMENDED BY SUBSTITUTION, AS FOLLOWS:

**PROPOSED SUBSTITUTE ORDINANCE AMENDMENT
TO COMMUNICATION NO. 313635**

Sponsored by

THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JOHN P. DALEY, JESUS GARCIA, ROBERT B. STEELE AND LARRY SUFFREDIN, DEBORAH SIMS, COOK COUNTY COMMISSIONERS

**RELOCATING DIVISION 7 – INTERGOVERNMENTAL CONTRACTS AND
DIVISION 8 – PREDATORY LENDERS FROM THE PROCUREMENT
CODE TO OTHER CHAPTERS OF THE COUNTY CODE**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Article, IV, Division 7, Sec. 34-311 through 34-315 and Division 8, Sec. 34-340 through 34-342 is hereby repealed.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article XI. Intergovernmental Contracts, Sec. 2-950 through 2-953 be enacted as follows:

ARTICLE XI. INTERGOVERNMENTAL CONTRACTS

Sec. 2-950. - Authorized.

The County may contract or otherwise associate with other units of government to obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or by ordinance.

Sec. 2-951. - Intergovernmental activity by County officers and employees.

County officers and employees may participate in intergovernmental activities authorized by the County without relinquishing their offices or positions.

Sec. 2-952. - Intergovernmental agreements temporary.

Where the County enters into an agreement with a governmental unit to provide a service or perform a function for such governmental unit, the agreement shall provide that the County's service or function shall be on an interim and temporary basis and shall set forth the length of time for which the County agrees to perform such

Sec. 2-953. - Review of contracts by County Board and State's Attorney.

Each contract entered into pursuant to this division shall be reviewed separately by the

County Board, taking into consideration the capability of the County to provide such service or perform such function without detriment to the County's ability to provide the same to the County as a whole. Each contract shall be submitted to the State's Attorney for approval as to form.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article V, Division 3, Sub-division I, Sec. 2-407 is hereby enacted as follows:

Sec. 3-407. Predatory lending ordinance.

This section may be cited as the Cook County Predatory Lending Ordinance.

(a) Definitions. The following words, terms and phrases, when used in this section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affiliate means any entity that controls, is controlled by, or is under common control with another entity, as determined under the Federal Bank Holding Company Act of 1956, as amended from time to time. However, the term "affiliate" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code.

Financial institution means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, a trust company, a savings bank, an investment bank, a securities broker, a municipal securities broker, a securities dealer, a municipal securities dealer, a securities underwriter, a municipal securities underwriter, an investment trust, a venture capital company, a bank holding company, a financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, the term "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code.

First lien mortgage means any loan secured by a first lien on residential real property, including but not limited to purchase money and nonpurchase money loans, refinancing loans, home equity loans, and reverse mortgages.

Flipping means the refinancing and charging of additional points, charges or other costs on a threshold loan within a 24-month period after the refinanced loan was made, unless the refinancing results in a financial benefit to the borrower.

Home equity loan means the extension of credit secured by a lien on residential real property under a plan in which:

(1) The lender reasonably contemplates repeated transactions;

(2) The lender may impose a finance charge from time to time on an outstanding balance; and

(3) The amount of credit that may be extended to the borrower during the term of the plan (up to any limit set by the lender) is generally made available to the extent that any outstanding balance is repaid.

Junior mortgage means any loan secured by a mortgage other than a first lien mortgage.

Points and fees means:

(1) All items required to be disclosed under 12 CFR 226.4(a), (b), except the interest rate or time-price differential;

(2) Subject to the exclusions provided below in this subdivision, all charges for items listed under 12 CFR 226.4(c)(7), but only if the lender receives direct or indirect compensation, in connection with the charge or the charge is paid to an affiliate of the lender, and otherwise the charges are not included within the meaning of the phrase "points and fees";

(3) All compensation paid directly or indirectly to a mortgage broker, including a broker that originates a loan in its own name in a table funded transaction, not otherwise included in Subsection (1) or (2) of this definition;

(4) The premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan, unless the disclosures and acknowledgment described in Subsection (7) of the definition of Predator loan have been made.

(5) Points and fees shall not include:

a. Taxes, filing fees, recording and other charges and fees paid or to be paid to public officials for determining the existence of or for perfecting, releasing or satisfying a security interest;

b. A payment to a government agency or a government-sponsored agency in connection with a government-sponsored mortgage program;

c. Bona fide and reasonable fees paid to a person other than a lender or an affiliate of the lender or to the mortgage broker or an affiliate of the mortgage broker for the following: fees for tax payment services; fees for flood certification; fees for pest infestation and flood determinations; appraisal fees; fees for home inspections performed prior to closing; credit reports; surveys; attorney's fees (if the borrower has the right to select the attorney); notary fees; escrow charges, so long as not otherwise included under Subsection (1) of this definition; title insurance premiums; and hazard insurance and flood insurance premiums, provided that the conditions in 12 CFR 226.4(d)(2) are met; and

d. Any bona fide, competitive and reasonable fees paid to the lender or an affiliate of the lender for the services and products described in Subsection (5)c of this definition, but only if the loan is not conditioned on the fees being paid to the lender or its affiliate, and the borrower is given the option to obtain the service or product from an unaffiliated entity.

Predatory lender means a financial institution that has made, within the 12-month period, prior to submission of a bid or contract offer, or prior to the date of proposed designation as a County depository, whichever is applicable, predatory loans that comprise either:

(1) Five percent of the total annual number of loans made; or

(2) Twenty-five individual loans; whichever is less. Each financial institution and affiliate shall be considered separately for the purposes of these calculations, and only loans secured by residential real estate that is located within the County shall be considered. The term "predatory lender" shall not include a financial institution, or its affiliates, that has submitted to the Chief Financial Officer a plan which is accepted in writing by the Chief

Financial Officer to discontinue the practice of making predatory loans which plan:

- a. Ensures the prompt disengagement from the practice of making predatory loans by the financial institution and its affiliates; and
- b. Ensures the complete cessation of the making of predatory loans by the financial institution and its affiliates within 180 days after the plan is submitted; provided that no more than one plan may be submitted on behalf of any financial institution.

Predatory loan means a threshold loan that was made under circumstances that involve any of the following acts or practices:

(1) Fraudulent or deceptive acts or practices, including fraudulent or deceptive marketing and sales efforts to sell threshold loans.

(2) Prepayment penalties:

- a. That apply to a prepayment made after the expiration of the 36-month period following the date the loan was made; or
- b. That are more than three percent of the total loan amount if the prepayment is made within the first 12-month period following the date the loan was made, or more than two percent of the total loan amount if the prepayment is made within the second 12-month period after the date the loan was made, or more than one percent of the loan amount if the prepayment is made within the third 12-month period following the date the loan was made.

(3) Balloon payments. A threshold loan that has a payment schedule with regular periodic payments that when aggregated do not fully amortize the outstanding principal balance, except for bridge loans connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling, and except for loans with a final balloon payment that have a term of not less than 180 months provided such balloon payment is conspicuously disclosed to the borrower, and except for home equity loans.

(4) Loan flipping.

(5) Negative amortization. A threshold loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.

(6) The financing of points and fees in excess of six percent of the loan amount.

(7) The financing of a single premium credit life, credit disability, credit unemployment, or any other life or health insurance, directly or indirectly, into one or more threshold loans unless the lender, at least three business days before the borrower signs the loan agreement, makes to the borrower a separate oral disclosure, and a separate clear and conspicuous written disclosure containing the following information, all of which must be true:

- a. The total cost of the insurance premium and, separately stated, the total amount of interest that will be charged for the financing of the insurance premium over the life of the loan.
- b. The fact that the insurance will be prepaid and financed at the interest rate provided for in the loan.
- c. The fact that the purchase of such insurance is not required in order to obtain the loan.
- d. The amount that the lender or its affiliates will receive as direct or indirect commissions in connection with the insurance.
- e. That the borrower may terminate the insurance at any time and receive a refund of the unearned premium, and that the borrower will receive a refund of the entire premium if the borrower cancels the insurance within 90 days after the policy goes into effect.

f. The term of the insurance coverage and, if different from the term of the loan, the length of the difference. In addition, the written disclosure shall contain a signed and dated acknowledgment by the borrower that the oral disclosure was made, and a signed and dated acknowledgment by the lender that the oral disclosure was made.

(8) Lending without due regard to repayment ability. The lender makes a loan if the lender believes at the time the loan is consummated that the borrower or the borrowers (when considered collectively in the case of multiple borrowers) will not be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status, and other financial resources (other than the borrower's equity in the dwelling which secures repayment of the loan). A borrower shall be presumed to be able to make the scheduled payments to repay the obligation if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other debts, do not exceed 50 percent of the borrower's monthly gross income as verified by the credit application, the borrower's financial statement, a credit report, financial information provided to the lender by or on behalf of the borrower, or any other reasonable means. This provision applies only to borrowers whose income, as reported on the loan application which the lender relied upon in making the credit decision, is no greater than 120 percent of the median family income for the Chicago Metropolitan Statistical Area (MSA) (as defined by the Director of the U.S. Office of Management and Budget). For purposes of this division, the median family income shall be derived from the most recent estimates made available by the U.S. Department of Housing and Urban Development, at the time the application is received. For purposes of determining median income, only the income of the borrower or borrowers shall be considered.

(9) The payment by a lender to a contractor under a home improvement contract from the proceeds of a threshold loan, other than:

a. By an instrument payable to the borrower or jointly to the borrower and the contractor; or

b. At the election of the borrower, by a third party escrow agent in accordance with terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of payment.

(10) The payment from loan proceeds by a lender to a contractor under a home repair or improvement contract, where the contractor has been, on two or more occasions within the previous 24-month period, determined by a court or agency of competent jurisdiction to be in violation of any law or ordinance prohibiting deceptive practices or similar conduct, unless:

a. The lender has no knowledge of the determinations; and

b. The lender has received a written affidavit from the contractor stating that there have not been two or more such determinations regarding the contractor within the previous 24-month period.

(11) Such other circumstances that the Chief Financial Officer may determine to be predatory in nature, in administrative rules promulgated to implement this division, which rules shall be submitted to the County Board for approval.

Reverse mortgage means a nonrecourse security interest in the borrower's principal dwelling where no interest or principal is payable on the secured loan (except in the case of default) until:

- (1) The borrower dies;
- (2) The dwelling is transferred; or
- (3) The borrower ceases to occupy the dwelling.

Threshold loan means a loan that is entered into after the effective date of this division and is secured by residential real property located within the County on which there is situated a dwelling for not more than four families or a condominium unit, or is secured by a cooperative unit within the County, if:

(1) At the time of the loan's origination, the annual percentage rate of the loan exceeds by more than six percentage points in the case of a first lien mortgage, or by more than eight percentage points in the case of a junior mortgage, the yield on Treasury securities having comparable periods of maturity to the loan maturity as of the 15th day of the month immediately preceding the month in which the application for the extension of credit is received by the creditor; or

(2) The total points and fees exceed:

a. Five percent of the total loan amount if the loan amount is \$16,000.00 or greater; or

b. Eight hundred dollars if the loan amount is less than \$16,000.00.

However, the term "threshold loan" shall not include a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan and shall not include a loan with a total loan amount over \$250,000.00.

Treasurer means the Treasurer of the County.

(b) County contracts.

(1) The Chief Financial Officer shall determine whether any financial institution seeking a contract with the County is a predatory lender as defined in this division section. If the Chief Financial Officer determines that any such financial institution is a predatory lender, the County will not award a contract to such financial institution. For purposes of this division section, a County contract shall not include designation as a County depository. The Chief Financial Officer shall notify the Treasurer of this determination.

(2) With each bid or offer submitted by a financial institution for any contract with the County, there shall be a pledge signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer. The pledge shall be in substantially the following form:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the County.

(3) Nothing in this section shall affect the validity of any contract entered into in connection with any debt obligations issued by or on behalf of the County prior to a determination by the Chief Financial Officer that an entity participating in the contract is a predatory lender.

(4) The Chief Financial Officer, at the direction of the President of the County Board, may suspend the ineligibility of a financial institution in order to allow Execution of a contract with the financial institution upon written application by the head of a County agency or department affected by the proposed contract setting forth facts sufficient in the judgment of the purchasing agent to establish:

a. That the public health, safety or welfare of the County requires the goods or

services of the financial institution; and

b. That the County is unable to acquire the goods or services at comparable price and quality, and in sufficient quantity, from other sources.

(c) County depositories.

(1) All financial institutions, seeking designation as a County depository by the County Board upon the request of the Treasurer, shall submit to the Chief Financial Officer, prior to any such designation, a pledge affirming that neither it nor any of its affiliates is or will become a predatory lender within the County. Upon receipt, the Chief Financial Officer shall forward this pledge to the Treasurer. The pledge shall be signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer. The pledge shall be in substantially the following form:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of our designation as a County depository.

(2) Upon receipt of any written complaint regarding predatory lending practices by any financial institution seeking designation as a County depository or serving as a County depository, the Chief Financial Officer shall refer such complaints to the Treasurer who may conduct an investigation of the complaint in accordance with the Treasurer's policies and procedures.

Effective date: This Ordinance shall be in effect immediately upon adoption.

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED SUBSTITUTE ORDINANCE AMENDMENT (COMMUNICATION NO. 313635), AS AMENDED. THE MOTION CARRIED.

**11-O-78
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND JOHN P. DALEY,
JESUS G. GARCIA, ROBERT B. STEELE, LARRY SUFFREDIN AND DEBORAH SIMS
COUNTY COMMISSIONERS**

**RELOCATING DIVISION 7 – INTERGOVERNMENTAL CONTRACTS AND
DIVISION 8 – PREDATORY LENDERS FROM THE PROCUREMENT
CODE TO OTHER CHAPTERS OF THE COUNTY CODE**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Article, IV, Division 7, Section 34-311 through 34-315 and Division 8, Section 34-340 through 34-342 is hereby repealed.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article XI. Intergovernmental Contracts, Section 2-950 through 2-953 be enacted as follows:

ARTICLE XI. INTERGOVERNMENTAL CONTRACTS

Sec. 2-950. Authorized.

The County may contract or otherwise associate with other units of government to obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or by ordinance.

Sec. 2-951. Intergovernmental activity by County officers and employees.

County officers and employees may participate in intergovernmental activities authorized by the County without relinquishing their offices or positions.

Sec. 2-952. Intergovernmental agreements temporary.

Where the County enters into an agreement with a governmental unit to provide a service or perform a function for such governmental unit, the agreement shall provide that the County's service or function shall be on an interim and temporary basis and shall set forth the length of time for which the County agrees to perform such

Sec. 2-953. Review of contracts by County Board and State's Attorney.

Each contract entered into pursuant to this division shall be reviewed separately by the County Board, taking into consideration the capability of the County to provide such service or perform such function without detriment to the County's ability to provide the same to the County as a whole. Each contract shall be submitted to the State's Attorney for approval as to form.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article V, Division 3, Sub-division I, Section 2-407 is hereby enacted as follows:

Sec. 3-407. Predatory lending ordinance.

This section may be cited as the Cook County Predatory Lending Ordinance.

(a) Definitions. The following words, terms and phrases, when used in this section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affiliate means any entity that controls, is controlled by, or is under common control with another entity, as determined under the Federal Bank Holding Company Act of 1956, as amended from time to time. However, the term "affiliate" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code.

Financial institution means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, a trust company, a savings bank, an investment bank, a securities broker, a municipal securities broker, a securities dealer, a municipal securities dealer, a securities underwriter, a municipal securities underwriter, an investment trust, a venture capital company, a bank holding company, a financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, the term

"financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code.

First lien mortgage means any loan secured by a first lien on residential real property, including but not limited to purchase money and nonpurchase money loans, refinancing loans, home equity loans, and reverse mortgages.

Flipping means the refinancing and charging of additional points, charges or other costs on a threshold loan within a 24-month period after the refinanced loan was made, unless the refinancing results in a financial benefit to the borrower.

Home equity loan means the extension of credit secured by a lien on residential real property under a plan in which:

- (1) The lender reasonably contemplates repeated transactions;
- (2) The lender may impose a finance charge from time to time on an outstanding balance; and
- (3) The amount of credit that may be extended to the borrower during the term of the plan (up to any limit set by the lender) is generally made available to the extent that any outstanding balance is repaid.

Junior mortgage means any loan secured by a mortgage other than a first lien mortgage.

Points and fees means:

- (1) All items required to be disclosed under 12 CFR 226.4(a), (b), except the interest rate or time-price differential;
- (2) Subject to the exclusions provided below in this subdivision, all charges for items listed under 12 CFR 226.4(c)(7), but only if the lender receives direct or indirect compensation, in connection with the charge or the charge is paid to an affiliate of the lender, and otherwise the charges are not included within the meaning of the phrase "points and fees";
- (3) All compensation paid directly or indirectly to a mortgage broker, including a broker that originates a loan in its own name in a table funded transaction, not otherwise included in Subsection (1) or (2) of this definition;
- (4) The premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan, unless the disclosures and acknowledgment described in Subsection (7) of the definition of Predator loan have been made.
- (5) Points and fees shall not include:
 - a. Taxes, filing fees, recording and other charges and fees paid or to be paid to public officials for determining the existence of or for perfecting, releasing or satisfying a security interest;

- b. A payment to a government agency or a government-sponsored agency in connection with a government-sponsored mortgage program;
- c. Bona fide and reasonable fees paid to a person other than a lender or an affiliate of the lender or to the mortgage broker or an affiliate of the mortgage broker for the following: fees for tax payment services; fees for flood certification; fees for pest infestation and flood determinations; appraisal fees; fees for home inspections performed prior to closing; credit reports; surveys; attorney's fees (if the borrower has the right to select the attorney); notary fees; escrow charges, so long as not otherwise included under Subsection (1) of this definition; title insurance premiums; and hazard insurance and flood insurance premiums, provided that the conditions in 12 CFR 226.4(d)(2) are met; and
- d. Any bona fide, competitive and reasonable fees paid to the lender or an affiliate of the lender for the services and products described in Subsection (5)c of this definition, but only if the loan is not conditioned on the fees being paid to the lender or its affiliate, and the borrower is given the option to obtain the service or product from an unaffiliated entity.

Predatory lender means a financial institution that has made, within the 12-month period, prior to submission of a bid or contract offer, or prior to the date of proposed designation as a County depository, whichever is applicable, predatory loans that comprise either:

- (1) Five percent of the total annual number of loans made; or
- (2) Twenty-five individual loans; whichever is less. Each financial institution and affiliate shall be considered separately for the purposes of these calculations, and only loans secured by residential real estate that is located within the County shall be considered. The term "predatory lender" shall not include a financial institution, or its affiliates, that has submitted to the Chief Financial Officer a plan which is accepted in writing by the Chief Financial Officer to discontinue the practice of making predatory loans which plan:
 - a. Ensures the prompt disengagement from the practice of making predatory loans by the financial institution and its affiliates; and
 - b. Ensures the complete cessation of the making of predatory loans by the financial institution and its affiliates within 180 days after the plan is submitted; provided that no more than one plan may be submitted on behalf of any financial institution.

Predatory loan means a threshold loan that was made under circumstances that involve any of the following acts or practices:

- (1) Fraudulent or deceptive acts or practices, including fraudulent or deceptive marketing and sales efforts to sell threshold loans.
- (2) Prepayment penalties:
 - a. That apply to a prepayment made after the expiration of the 36-month period following the date the loan was made; or

- b. That are more than three percent of the total loan amount if the prepayment is made within the first 12-month period following the date the loan was made, or more than two percent of the total loan amount if the prepayment is made within the second 12-month period after the date the loan was made, or more than one percent of the loan amount if the prepayment is made within the third 12-month period following the date the loan was made.
- (3) Balloon payments. A threshold loan that has a payment schedule with regular periodic payments that when aggregated do not fully amortize the outstanding principal balance, except for bridge loans connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling, and except for loans with a final balloon payment that have a term of not less than 180 months provided such balloon payment is conspicuously disclosed to the borrower, and except for home equity loans.
- (4) Loan flipping.
- (5) Negative amortization. A threshold loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.
- (6) The financing of points and fees in excess of six percent of the loan amount.
- (7) The financing of a single premium credit life, credit disability, credit unemployment, or any other life or health insurance, directly or indirectly, into one or more threshold loans unless the lender, at least three business days before the borrower signs the loan agreement, makes to the borrower a separate oral disclosure, and a separate clear and conspicuous written disclosure containing the following information, all of which must be true:
 - a. The total cost of the insurance premium and, separately stated, the total amount of interest that will be charged for the financing of the insurance premium over the life of the loan.
 - b. The fact that the insurance will be prepaid and financed at the interest rate provided for in the loan.
 - c. The fact that the purchase of such insurance is not required in order to obtain the loan.
 - d. The amount that the lender or its affiliates will receive as direct or indirect commissions in connection with the insurance.
 - e. That the borrower may terminate the insurance at any time and receive a refund of the unearned premium, and that the borrower will receive a refund of the entire premium if the borrower cancels the insurance within 90 days after the policy goes into effect.

- f. The term of the insurance coverage and, if different from the term of the loan, the length of the difference. In addition, the written disclosure shall contain a signed and dated acknowledgment by the borrower that the oral disclosure was made, and a signed and dated acknowledgment by the lender that the oral disclosure was made.
- (8) Lending without due regard to repayment ability. The lender makes a loan if the lender believes at the time the loan is consummated that the borrower or the borrowers (when considered collectively in the case of multiple borrowers) will not be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status, and other financial resources (other than the borrower's equity in the dwelling which secures repayment of the loan). A borrower shall be presumed to be able to make the scheduled payments to repay the obligation if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other debts, do not exceed 50 percent of the borrower's monthly gross income as verified by the credit application, the borrower's financial statement, a credit report, financial information provided to the lender by or on behalf of the borrower, or any other reasonable means. This provision applies only to borrowers whose income, as reported on the loan application which the lender relied upon in making the credit decision, is no greater than 120 percent of the median family income for the Chicago Metropolitan Statistical Area (MSA) (as defined by the Director of the U.S. Office of Management and Budget). For purposes of this division, the median family income shall be derived from the most recent estimates made available by the U.S. Department of Housing and Urban Development, at the time the application is received. For purposes of determining median income, only the income of the borrower or borrowers shall be considered.
- (9) The payment by a lender to a contractor under a home improvement contract from the proceeds of a threshold loan, other than:
 - a. By an instrument payable to the borrower or jointly to the borrower and the contractor; or
 - b. At the election of the borrower, by a third party escrow agent in accordance with terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of payment.
- (10) The payment from loan proceeds by a lender to a contractor under a home repair or improvement contract, where the contractor has been, on two or more occasions within the previous 24-month period, determined by a court or agency of competent jurisdiction to be in violation of any law or ordinance prohibiting deceptive practices or similar conduct, unless:
 - a. The lender has no knowledge of the determinations; and
 - b. The lender has received a written affidavit from the contractor stating that there have not been two or more such determinations regarding the contractor within the previous 24-month period.

- (11) Such other circumstances that the Chief Financial Officer may determine to be predatory in nature, in administrative rules promulgated to implement this division, which rules shall be submitted to the County Board for approval.

Reverse mortgage means a nonrecourse security interest in the borrower's principal dwelling where no interest or principal is payable on the secured loan (except in the case of default) until:

- (1) The borrower dies;
- (2) The dwelling is transferred; or
- (3) The borrower ceases to occupy the dwelling.

Threshold loan means a loan that is entered into after the effective date of this division and is secured by residential real property located within the County on which there is situated a dwelling for not more than four families or a condominium unit, or is secured by a cooperative unit within the County, if:

- (1) At the time of the loan's origination, the annual percentage rate of the loan exceeds by more than six percentage points in the case of a first lien mortgage, or by more than eight percentage points in the case of a junior mortgage, the yield on Treasury securities having comparable periods of maturity to the loan maturity as of the 15th day of the month immediately preceding the month in which the application for the extension of credit is received by the creditor; or
- (2) The total points and fees exceed:
 - a. Five percent of the total loan amount if the loan amount is \$16,000.00 or greater; or
 - b. Eight hundred dollars if the loan amount is less than \$16,000.00.

However, the term "threshold loan" shall not include a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan and shall not include a loan with a total loan amount over \$250,000.00.

Treasurer means the Treasurer of the County.

- (b) County contracts.
- (1) The Chief Financial Officer shall determine whether any financial institution seeking a contract with the County is a predatory lender as defined in this division section. If the Chief Financial Officer determines that any such financial institution is a predatory lender, the County will not award a contract to such financial institution. For purposes of this division section, a County contract shall not include designation as a County depository. The Chief Financial Officer shall notify the Treasurer of this determination.
- (2) With each bid or offer submitted by a financial institution for any contract with the County, there shall be a pledge signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer. The pledge shall be in substantially the following form:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the County.

- (3) Nothing in this section shall affect the validity of any contract entered into in connection with any debt obligations issued by or on behalf of the County prior to a determination by the Chief Financial Officer that an entity participating in the contract is a predatory lender.
- (4) The Chief Financial Officer, at the direction of the President of the County Board, may suspend the ineligibility of a financial institution in order to allow Execution of a contract with the financial institution upon written application by the head of a County agency or department affected by the proposed contract setting forth facts sufficient in the judgment of the purchasing agent to establish:
 - a. That the public health, safety or welfare of the County requires the goods or services of the financial institution; and
 - b. That the County is unable to acquire the goods or services at comparable price and quality, and in sufficient quantity, from other sources.
- (c) County depositories.
- (1) All financial institutions, seeking designation as a County depository by the County Board upon the request of the Treasurer, shall submit to the Chief Financial Officer, prior to any such designation, a pledge affirming that neither it nor any of its affiliates is or will become a predatory lender within the County. Upon receipt, the Chief Financial Officer shall forward this pledge to the Treasurer. The pledge shall be signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer. The pledge shall be in substantially the following form:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of our designation as a County depository.

- (2) Upon receipt of any written complaint regarding predatory lending practices by any financial institution seeking designation as a County depository or serving as a County depository, the Chief Financial Officer shall refer such complaints to the Treasurer who may conduct an investigation of the complaint in accordance with the Treasurer's policies and procedures.

Effective date: This Ordinance Amendment shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President

Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313636 **ORDINANCE MOVING DEFINITION OF "PROPERTY TAX INCENTIVE" FROM LIVING WAGE ORDINANCE TO CHAPTER 74 TAXATION (PROPOSED ORDINANCE AMENDMENT). Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.**

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

ORDINANCE MOVING DEFINITION OF "PROPERTY TAX INCENTIVE" FROM LIVING WAGE ORDINANCE TO CHAPTER 74 TAXATION

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Sec. 34-127 and Chapter 74 Taxation, Sec. 74-71 of the Cook County Code are hereby amended as follows:

Sec. 34-127. Living wage.

~~Property tax incentive means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for owner-occupied Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property. For the purpose of this article, "property tax incentive" shall not include a Class 9 designation granted to supportive living facilities, which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and which are certified by the State Department of Public Aid pursuant to Chapter 74, Article II, Division 2 of this Code, the County Real Property Assessment Classification Ordinance.~~

Sec. 74-71. - Definitions.

Property tax incentive means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for owner-occupied Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property. For the purpose of this article, "property tax incentive" shall not include a Class 9 designation granted to supportive living facilities, which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and which are certified by the State Department of Public Aid pursuant to Chapter 74, Article II, Division 2 of this Code, the County Real Property Assessment Classification Ordinance.

Effective Date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 7-12-11.**

****Deferred 7-25-11.**

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT

(COMMUNICATION NO. 313636). THE MOTION CARRIED.

**11-O-79
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND EARLEAN COLLINS,
JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA, EDWIN REYES, ROBERT B. STEELE
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

**ORDINANCE MOVING DEFINITION OF "PROPERTY TAX INCENTIVE"
FROM LIVING WAGE ORDINANCE TO CHAPTER 74 TAXATION**

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Section 34-127 and Chapter 74 Taxation, Section 74-71 of the Cook County Code are hereby amended as follows:

Sec. 34-127. Living wage.

(a) Unless expressly waived by the County Board, not less than a living wage shall be paid to each employee of any employer that is awarded either (1) a contract or subcontract with the County, or (2) a property tax incentive for owner-occupied property.

(b) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Assessor means the Assessor of Cook County.

Board means the Board of Commissioners of Cook County.

Chief Financial Officer or "CFO" means the Chief Financial Officer of Cook County.

Commission means the Cook County Commission on Human Rights.

Contract means any written agreement whereby the County is committed to expend or does expend funds in connection with any contract or subcontract which requires in the performance thereof the employment of any number of full-time non-County employees, including, but not limited to, the following classifications: cashier, clerical, custodial, day laborer, elevator operator, home and health care, laundry, leased employee, parking attendant, and security guard. The term "contract" shall not include contracts with not-for-profit organizations, community development block grants, President's Office of Employment Training, Sheriff's Work Alternative Program, or Department of Correction inmates.

Employee means any individual permitted to work on a full-time basis by an employer in an occupation pursuant either to work performed under a specific County contract or to work performed on the specific property for which the employer receives a property tax incentive. The term "employee" does not include an individual who is the employer's parent, spouse or child or other members of the employer's immediate family. This definition of employee may be further defined by the Cook County Bureau of Human Resources.

Employer means any person or business entity that employs one or more full-time employees, excluding the parent, spouse, child or other members of the employer's immediate family. Employer does not include not-for-profit organizations.

Living wage means a wage of no less than \$9.43 per hour if employee health benefits are provided, or \$11.78 per hour without health benefits. The employee health benefit contribution shall not exceed 25 percent of the health insurance premium. As of January 1, 2006, and each January 1 thereafter, the CFO shall adjust the living wage using the most recent federal poverty guidelines for a family of four as published annually by the United States Department of Health and Human Services, to constitute the following: there will be an annual adjustment calculated as 100 percent of the federal poverty line for a family of four (as defined by the U.S. Department of Health and Human Services) with health benefits and 125 percent of the federal poverty line for a family of four without health benefits.

Not-for-profit organization means a corporation having tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code and recognized under State not-for-profit law.

Purchasing Agent means the Purchasing Agent of Cook County.

Wage means compensation due to an employee by reason of his employment, including allowances for gratuities and for meals and lodging that are furnished by the employer and actually used by the employee. This definition of wage may be further defined by the Cook County Bureau of Human Resources.

(c) Every contract shall contain a provision or provisions stipulating that the contractor and all subcontractors are currently paying their employees a living wage and obligating the contractor and all subcontractors to pay their employees not less than the living wage throughout the duration of the contract.

(d) Every employer that receives or renews a property tax incentive shall provide an affidavit to the Assessor stipulating that such employer is currently paying the living wage to its employees as required by this article.

(e) The Purchasing Agent shall require as part of the bidding and sole source procedure that any covered contractor provide certification of its compliance with this section.

(f) Any contract that violates the provisions contained in this section shall be subject to cancellation by the Board.

(g) The CFO shall annually notify all employers required to pay the living wage of the annual living wage adjustment. Within 30 days of said notification, such employers shall submit an affidavit to the CFO stating that (1) they paid the living wage during the previous calendar year, and that (2) they are currently paying the living wage as adjusted by the CFO. If an employer fails to timely submit such an affidavit, the CFO shall (1) notify the Assessor to revoke any property tax incentive the employer may have received, or (2) notify the Purchasing Agent to cancel, subject to Board approval, any contract the employer may have with Cook County.

(h) The Assessor shall provide annual written notification to the CFO of all employers receiving property tax incentives including the employer's name, mailing, and email address.

(i) Every employer shall notify its employees of the living wage requirement at the time of

hire and shall notify all of its employees annually of the adjustment to the living wage. If any employee contends that his employer is not paying a living wage as required by this article, that employee may file a complaint with the Commission. The Commission shall issue rules and regulations necessary to implement its investigatory powers. If at the conclusion of the Commission's investigation, the Commission finds that the employer is not paying a living wage as required by this article, it shall (1) notify the Assessor to revoke any property tax incentive the employer may have received, or (2) notify the Purchasing Agent to cancel, subject to Board approval, any contract the employer may have with Cook County.

(j) At such time any disqualified employer achieves compliance with the living wage as required by this article, the employer may notify the CFO. The CFO shall notify the Assessor or the Purchasing Agent that the employer is eligible for reinstatement of either the property tax incentive or a contract, subject to Board approval.

(k) If any one or more of the provisions of this article is declared unconstitutional or the application thereof is held invalid, the validity of the remainder of this article and the application of such provisions to other persons and circumstances shall not be affected thereby.

Sec. 74-71. Definitions.

Property tax incentive means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for owner-occupied Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property. For the purpose of this article, "property tax incentive" shall not include a Class 9 designation granted to supportive living facilities, which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and which are certified by the State Department of Public Aid pursuant to Chapter 74, Article II, Division 2 of this Code, the County Real Property Assessment Classification Ordinance.

Sales tax means the Retailers' Occupation Tax, the Service Occupation Tax and/or the Use Tax.

Effective Date: This Ordinance Amendment shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313637 **LIVING WAGE REQUIREMENT FOR PROPERTY TAX INCENTIVES (PROPOSED ORDINANCE).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE

LIVING WAGE REQUIREMENT FOR PROPERTY TAX INCENTIVES

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 74 Taxation, Sec. 74-72 of the Cook County Code is hereby enacted:

Sec. 74-72. Living wage requirement.

Unless expressly waived by the County Board, not less than a Living Wage, as defined in the Cook County Procurement Code, shall be paid to each Employee of any Employer that receives a Property Tax Incentive for owner-occupied property. Each Employer receiving a Property Tax Incentive shall comply with all the requirements and procedures set forth in the County Code Chapter 34 with regard to such Living Wage, including notification of Employees and all other requirements.

Effective date: This Ordinance shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 7-12-11.**

****Deferred 7-25-11.**

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT (COMMUNICATION NO. 313637). THE MOTION CARRIED.

**11-O-80
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND EARLEAN COLLINS,
JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA, EDWIN REYES, ROBERT B. STEELE
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

LIVING WAGE REQUIREMENT FOR PROPERTY TAX INCENTIVES

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 74 Taxation, Section 74-72 of the Cook County Code is hereby enacted:

Sec. 74-72. Living wage requirement.

Unless expressly waived by the County Board, not less than a Living Wage, as defined in the Cook County Procurement Code, shall be paid to each Employee of any Employer that receives a Property Tax Incentive for owner-occupied property. Each Employer receiving a Property Tax Incentive shall comply with all the requirements and procedures set forth in the County Code Chapter 34 with regard to such Living Wage, including notification of Employees and all other requirements.

Effective date: This Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313638 **CHIEF FINANCIAL OFFICER'S DUTIES REGARDING LIVING WAGE (PROPOSED ORDINANCE).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE

CHIEF FINANCIAL OFFICER'S DUTIES REGARDING LIVING WAGE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Sec. 2-408 of the Cook County Code is hereby enacted as follows:

Sec. 2-408. Chief Financial Officer's duties with regard to Living Wage.

The Chief Financial Officer shall annually determine the Living Wage, as defined in the Procurement Code, which shall be 100 percent of the federal poverty line for a family of four with health benefits and 125 percent of the federal poverty line for a family of four without health benefits, as published in the most recent federal poverty guidelines by the U.S. Department of Health and Human Services. The employee health benefit contribution shall not exceed 25 percent of the health insurance premium. The Chief Financial Officer shall post the current Living Wage on its website and shall notify the Chief Procurement Officer and the Assessor of such Living Wage.

Effective date: This Ordinance shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 7-12-11.**

****Deferred 7-25-11.**

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT (COMMUNICATION NO. 313638). THE MOTION CARRIED.

**11-O-81
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND EARLEAN COLLINS,
JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA, EDWIN REYES, ROBERT B. STEELE
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

CHIEF FINANCIAL OFFICER'S DUTIES REGARDING LIVING WAGE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-408 of the Cook County Code is hereby enacted as follows:

Sec. 2-408. Chief Financial Officer's duties with regard to Living Wage.

The Chief Financial Officer shall annually determine the Living Wage, as defined in the Procurement Code, which shall be 100 percent of the federal poverty line for a family of four with health benefits and 125 percent of the federal poverty line for a family of four without health benefits, as published in the most recent federal poverty guidelines by the U.S. Department of Health and Human Services. The employee health benefit contribution shall not exceed 25 percent of the health insurance premium. The Chief Financial Officer shall post the current Living Wage on its website and shall notify the Chief Procurement Officer and the Assessor of such Living Wage.

Effective date: This Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313639 **ASSESSOR'S DUTIES REGARDING LIVING WAGE (PROPOSED ORDINANCE).**

Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE

ASSESSOR'S DUTIES REGARDING LIVING WAGE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Sec. 2-318 of the Cook County Code is hereby enacted as follows:

Sec. 2-318. Assessor's duties with regard to Living Wage.

(a) Upon receipt of notification of the Living Wage by the CFO, the Assessor shall post the current Living Wage on the Assessor's website.

(b) The Assessor shall provide annual written notification to the Chief Financial Officer of all employers receiving property tax incentives, including the employer's name, mailing, and email address.

Effective date: This Ordinance shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 7-12-11.**

****Deferred 7-25-11.**

THE MOTION CARRIED. VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT (COMMUNICATION NO. 313639). THE MOTION CARRIED.

**11-O-82
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND EARLEAN COLLINS,
JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA, EDWIN REYES, ROBERT B. STEELE
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

ASSESSOR'S DUTIES REGARDING LIVING WAGE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-318 of the Cook County Code is hereby enacted as follows:

Sec. 2-318. Assessor's duties with regard to Living Wage.

(a) Upon receipt of notification of the Living Wage by the CFO, the Assessor shall post the current Living Wage on the Assessor's website.

(b) The Assessor shall provide annual written notification to the Chief Financial Officer of all employers receiving property tax incentives, including the employer's name, mailing, and email address.

Effective date: This Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313640 **ORDINANCE AMENDING DEFINITIONS AND RULES OF CONSTRUCTION IN CHAPTER 1 GENERAL PROVISIONS (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners

PROPOSED ORDINANCE AMENDMENT

ORDINANCE AMENDING DEFINITIONS AND RULES OF CONSTRUCTION

IN CHAPTER 1 GENERAL PROVISIONS

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 1 General Provisions, Sec. 1-3 of the Cook County Code are hereby amended as follows:

Sec. 1-3. Definitions and rules of construction.

The term "Department" means a department which is a part of the government of the County of Cook, Illinois, and shall include an agency which is a part of the government of the County of Cook, Illinois. ~~However, for the purposes of Chapter 34, Article IV, the term "Department" means one of the entries listed in the Index of Departments contained in the Annual Appropriation Bill.~~

Effective Date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 7-12-11.**

****Deferred 7-25-11.**

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT (COMMUNICATION NO. 313640). THE MOTION CARRIED.

**11-O-83
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND EARLEAN COLLINS,
JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA, EDWIN REYES, ROBERT B. STEELE
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

**ORDINANCE AMENDING DEFINITIONS AND RULES OF CONSTRUCTION
IN CHAPTER 1 GENERAL PROVISIONS**

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 1 General Provisions, Section 1-3 of the Cook County Code are hereby amended as follows:

Sec. 1-3. Definitions and rules of construction.

The term "Department" means a department which is a part of the government of the County of Cook, Illinois, and shall include an agency which is a part of the government of the County of Cook, Illinois.

Effective Date: This Ordinance Amendment shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President

Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313641 **RELOCATING, FROM CHAPTER 34 TO CHAPTER 2, SALE OR PURCHASE OF REAL ESTATE (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

PROPOSED ORDINANCE AMENDMENT

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners

**RELOCATING, FROM CHAPTER 34 TO CHAPTER 2
SALE OR PURCHASE OF REAL ESTATE**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Sec. 34-133 and Chapter 2 Administration, Sec. 2-362 of the Cook County Code are hereby amended as follows:

Sec. ~~34-133~~ 2-362. Sale or purchase of real estate.

(a) Unless the sale price is \$50,000.00 or less, no surplus real estate owned by the County shall be sold or exchanged or otherwise disposed of unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed sale or exchange has been presented to the Committee on Finance Real Estate and Business and Economic Development Subcommittee of the County Board. At least one of such appraisals shall be performed by an M.A.I.-certified appraiser. The grantee may be required to pay the cost of such appraisals as a condition of conveyance of the real estate proposed to be sold or exchanged or otherwise disposed of.

(b) Unless the purchase price is \$50,000.00 or less, no real estate shall be purchased by the County unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed purchase has been presented to the Committee on Finance Real Estate and Business and Economic Development Subcommittee of the County Board. At least one of such appraisals shall be an M.A.I. appraisal.

(c) If the sale or purchase price is \$50,000.00 or less, only one appraisal shall be required, which appraisal shall be performed by an M.A.I.-certified appraiser or a State certified general appraiser licensed by the State of Illinois and having expertise in appraising similar properties.

Effective Date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 7-12-11.**

****Deferred 7-25-11.**

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED

TO ACCEPT THE PROPOSED SUBSTITUTE ORDINANCE AMENDMENT TO COMMUNICATION NO. 313641. THE MOTION CARRIED AND THE PROPOSED ORDINANCE WAS AMENDED BY SUBSTITUTION, AS FOLLOWS:

**PROPOSED SUBSTITUTE ORDINANCE AMENDMENT
TO COMMUNICATION NO. 313641**

Sponsored by
THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JOHN P. DALEY, JESUS
GARCIA, ROBERT B. STEEL AND LARRY SUFFREDIN, COOK COUNTY
COMMISSIONERS

**RELOCATING, FROM CHAPTER 34 TO CHAPTER 2
SALE OR PURCHASE OF REAL ESTATE**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34, Article IV, Division 1, Sec. 34-133, Sale or purchase of Real Estate is hereby repealed.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2, Article V, Division 2, Section 2-362 Sale or purchase of real estate be enacted as follows:

Sec. 2-362. Sale or purchase of real estate.

(a) Unless the sale price is \$50,000.00 or less, no surplus real estate owned by the County shall be sold or exchanged or otherwise disposed of unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed sale or exchange has been presented to the Committee on Finance Real Estate and Business and Economic Development Subcommittee of the County Board. At least one of such appraisals shall be performed by an M.A.I.-certified appraiser. The grantee may be required to pay the cost of such appraisals as a condition of conveyance of the real estate proposed to be sold or exchanged or otherwise disposed of.

(b) Unless the purchase price is \$50,000.00 or less, no real estate shall be purchased by the County unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed purchase has been presented to the Committee on Finance Real Estate and Business and Economic Development Subcommittee of the County Board. At least one of such appraisals shall be an M.A.I. appraisal.

(c) If the sale or purchase price is \$50,000.00 or less, only one appraisal shall be required, which appraisal shall be performed by an M.A.I.-certified appraiser or a State certified general appraiser licensed by the State of Illinois and having expertise in appraising similar properties.

Effective Date: This Ordinance shall be in effect immediately upon adoption.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED TO APPROVE THE PROPOSED SUBSTITUTE ORDINANCE AMENDMENT (COMMUNICATION NO. 313641). THE MOTION CARRIED.

**11-O-84
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND JOHN P. DALEY,
JESUS G. GARCIA, ROBERT B. STEELE AND LARRY SUFFREDIN
COUNTY COMMISSIONERS**

**RELOCATING, FROM CHAPTER 34 TO CHAPTER 2
SALE OR PURCHASE OF REAL ESTATE**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34, Article IV, Division 1, Section 34-133, Sale or purchase of Real Estate is hereby repealed.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2, Article V, Division 2, Section 2-362 Sale or purchase of real estate be enacted as follows:

Sec. 2-362. Sale or purchase of real estate.

(a) Unless the sale price is \$50,000.00 or less, no surplus real estate owned by the County shall be sold or exchanged or otherwise disposed of unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed sale or exchange has been presented to the Finance Subcommittee on Real Estate and Business and Economic Development of the County Board. At least one of such appraisals shall be performed by an M.A.I.-certified appraiser. The grantee may be required to pay the cost of such appraisals as a condition of conveyance of the real estate proposed to be sold or exchanged or otherwise disposed of.

(b) Unless the purchase price is \$50,000.00 or less, no real estate shall be purchased by the County unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed purchase has been presented to the Finance Subcommittee on Real Estate and Business and Economic Development of the County Board. At least one of such appraisals shall be an M.A.I. appraisal.

(c) If the sale or purchase price is \$50,000.00 or less, only one appraisal shall be required, which appraisal shall be performed by an M.A.I.-certified appraiser or a State certified general appraiser licensed by the State of Illinois and having expertise in appraising similar properties.

Effective Date: This Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313644 **AMENDMENT AND RESTATEMENT OF COOK COUNTY PROCUREMENT
ORDINANCE (PROPOSED ORDINANCE AMENDMENT).** Submitting a Proposed
Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry

Butler, John P. Daley, Jesus G. Garcia, Edwin Reyes, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

AMENDMENT AND RESTATEMENT OF COOK COUNTY
PROCUREMENT ORDINANCE

PREAMBLE

WHEREAS, the Chief Procurement Officer (the “CPO”) is charged with the responsibility to Procure and contract for all services, supplies, materials and equipment, required by any office, department, institution or agency of the County government;

WHEREAS, one goal of the CPO is to serve the citizens of Cook County by obtaining quality goods and services at the lowest cost while operating the highest standards of ethical conduct;

WHEREAS, the CPO seeks to ensure the timely and efficient procurement of supplies, materials, equipment and services;

WHEREAS, the CPO seeks to employ a transparent procurement process in which authority, responsibility and accountability are clearly delineated; and

WHEREAS, a clear and consistent procurement code is essential to achieve the goals of transparency, fairness, efficiency, accountability and economy;

NOW, THEREFORE, BE IT ORDAINED THAT Chapter 34, Article IV of the Cook County Code, is hereby amended and restated in its entirety to read as follows:

***Referred to the Finance Committee on 7-12-11.**

****Substituted and Deferred as Amended on 7-25-11.**

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED TO ACCEPT THE PROPOSED SECOND SUBSTITUTE ORDINANCE TO COMMUNICATION NO. 313644. THE MOTION CARRIED AND THE PROPOSED ORDINANCE WAS AMENDED BY SUBSTITUTION, AS FOLLOWS:

PROPOSED SECOND SUBSTITUTE ORDINANCE

COMMUNICATION NO. 313644

Sponsored by

THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND JOHN P. DALEY, WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY, BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN, GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI, COOK COUNTY BOARD OF COMMISSIONERS

PREAMBLE

WHEREAS, the Chief Procurement Officer (the “CPO”) is charged with the responsibility to Procure and contract for all services, supplies, materials and equipment, required by any office, department, institution or agency of the County government;

WHEREAS, one goal of the CPO is to serve the citizens of Cook County by obtaining quality goods and services at the lowest cost while operating the highest standards of ethical conduct;

WHEREAS, the CPO seeks to ensure the timely and efficient procurement of supplies, materials, equipment and services;

WHEREAS, the CPO seeks to employ a transparent procurement process in which authority, responsibility and accountability are clearly delineated; and

WHEREAS, a clear and consistent procurement code is essential to achieve the goals of transparency, fairness, efficiency, accountability and economy;

NOW, THEREFORE, BE IT ORDAINED THAT Chapter 34, Article IV of the Cook County Code, is hereby ~~repealed and Chapter 34, Article IV, Procurement Code is hereby enacted amended and restated in its entirety to read~~ as follows:

DIVISION 1. GENERAL PROVISIONS

Sec. 34-120. Short title.

Chapter 34, Article IV of this Code shall be known and may be cited as the Cook County Procurement Code.

Sec. 34-121. Definitions.

Unless defined elsewhere in this Procurement Code or in Chapter 1, Sec. 1-3 of the County Code, capitalized terms used in this Procurement Code shall have the meanings set forth below.

Affiliate. An “Affiliate” of, or a Person “Affiliated” with, a specified Person shall mean any Person that directly or indirectly through one or more intermediaries, Controls, is Controlled by, or is under common Control with, the Person specified.

Assessor means the Assessor of Cook County.

Auditing Services means the formal examination of accounting records or financial statements for compliance with financial accounting standards applicable to governmental entities, which functions are generally exclusively performed or supervised by Persons licensed and authorized to do business as public accountants in the State. The term "Auditing Services" shall also include any independent reports and management recommendations derived or resulting from the performance of auditing services and which reports and recommendations are included within the scope of the Contract for Auditing Services.

Bid means a response to a Bid Notice containing all Bid Documents and any other documents or information the Bidder is required to provide.

Bid Documents means the documents, specifications, forms and other information necessary required for a Bid.

Bid Notice means the notice from the CPO regarding a Procurement which shall include: a general description of the Procurement; information necessary to obtain the Bid Documents; and the date, time and place for both the submission of Bids and the opening of the Bids.

Bid Price means the dollar amount set forth in a Bid.

Bidder means any Person who submits a Bid.

Chief Financial Officer or "CFO" means the Chief Financial Officer of Cook County.

Chief Procurement Officer or "CPO" means the Chief Procurement Officer of Cook County. References in this Procurement Code to actions required to be taken by the CPO shall be deemed to include designees or staff of the CPO.

Consulting Services means the rendering of analysis and advice requiring specialized expertise in a particular subject area or field. Such expertise may have been gained by education or experience in the area or field. The term "Consulting Services" expressly excludes auditing services.

Contract shall include any written document to make Procurements by or on behalf of Cook County.

Contract Compliance Director or CCD means the County Contract Compliance Director.

Contractor means the Person that enters into a Contract with the County.

Control. The term "Control", "is Controlled by", or is "under common Control with" shall mean a Person that has the power to directly or indirectly affect the management or the policies of the other through ownership of voting securities or voting rights, by contract or otherwise

Court Ordered Child Support Arrearage means that the Circuit Court of Cook County has issued an order declaring the respondent in arrearage on child support obligations in a specific amount as of the date of that order, or that another Illinois or non Illinois court of competent jurisdiction has issued such an order.

Covered Services means janitorial cleaning services, window cleaning services, elevator operator and starter services, and security services.

Elected Official means the President and Commissioners of the Cook County Board, Assessor, Board of Review, Chief Judge, Clerk of the Circuit Court, County Clerk, Recorder of Deeds, Sheriff, State's Attorney, Treasurer, and any other elected official included in the Cook County Appropriations Ordinance.

Employee means any individual working on a full-time basis, and providing services, for an Employer under a Contract. "Employees" shall not include workers required to be paid the prevailing wage pursuant to Sec. 34-161.

Employer means any Person that employs one or more full-time Employees.

Execution means to sign a Contract, after it has been approved by the CPO or the Board, as required by this Procurement Code.

Joint Venture means an association of two or more Persons proposing to perform a for profit business enterprise. Joint Ventures must have an agreement in writing specifying the terms and conditions of the relationship between the partners and their relationship and respective responsibility for the Contract.

Living Wage means those amounts established from time to time by the CFO, and posted on the CPO's website pursuant to Sec. 34-160.

Local business means a Person, including a foreign corporation authorized to transact business in Illinois, having a bona fide establishment located within the County at which it is transacting business on the date when a Bid is submitted to the County, and which employs the majority of its regular, full-time work force within the County. A Joint Venture shall constitute a Local Business if one or more Persons that qualify as a "Local Business" hold interests totaling over 50% in the Joint Venture, even if the Joint Venture does not, at the time of the Bid submittal, have such a bona fide establishment within the County.

Not-for-Profit Organization means an entity having tax exempt status under the United States Internal Revenue Code.

Person or Persons means any individual, corporation, partnership, Joint Venture, trust, association, limited liability company, sole proprietorship or other legal entity.

Procurement. The term "Procurement", "Procurements" or "Procuring" means obtaining supplies, equipment, goods, or services of any kind.

Procurement Code means Chapter 34, Article IV.

Proposal means a response to an RFP.

Proposer means a Person submitting a Proposal.

Public Works means all fixed works constructed or demolished by the County, or paid for wholly or in part out of public funds administered by the County. "Public Works" as defined herein includes all projects financed in whole or in part with bonds, grants, loans, or other funds made available by or through federal or State government, or the County. "Public Works" does not include projects undertaken by the owner at an owner-occupied single-family residence or at an owner-occupied unit of a multi-family residence. "Public Works" includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

Response means response to an RFQ.

Respondent. The term "Respondent" means a Person responding to an RFQ.

Responsible means a Person that has the capability in all respects to perform fully a Contract or to provide the required supplies, equipment, goods or services to the County, and the integrity and reliability that will assure good faith performance. Factors taken into consideration in determining whether a Person is Responsible may include quality, financial capacity, past performance, experience, adequacy of staff, equipment, and the ability to perform within the time frame required for the Procurement.

Responsive means a Bid, a Response or a Proposal is in compliance in all material respects with all the terms, conditions and requirements set forth in the Bid Documents, RFP, RFQ, request for

quotations or other terms required for a Procurement, including but not limited to completion and timely submittal of all required affidavits, statements, certifications, bid deposits, insurance, performance and payment bonds and other County requirements.

RFP means a Request for Proposals issued pursuant to this Procurement Code.

RFQ means a Request for Qualifications issued to obtain the qualifications of interested parties.

Using Agency means the departments or agencies within Cook County government, including Elected Officials.

Wage. The term “Wage” means compensation due to an Employee by reason of employment, including allowances for gratuities and for meals and lodging that are furnished by the Employer and actually used by the Employee.

Sec. 34-122. Procurements and contracts.

All Procurements for or by any Using Agency of Cook County, regardless of the source of the funds used to pay for such Procurement, shall be made by the CPO, and in accordance with this Procurement Code and the procedures promulgated pursuant hereto. All Contracts shall be in a form determined by the CPO. Contracts shall be approved and executed as set forth in the procedures promulgated pursuant to and in this Procurement Code. Notwithstanding, the above provision or any other provision in this Procurement Code, the Board of Directors of the Cook County Health and Hospitals System (“System Board”) shall have the authority over Procurements and Contracts for the Cook County Health and Hospitals System as provided in the ordinance establishing the CCHHS. The System Board shall adopt written rules, regulations and procedures in accordance and consistent with this Procurement Code and provisions set forth herein.

Sec. 34-123. No power to act for procurements or expenditures of \$150,000.00 or more.

The CPO shall have the authority to approve Procurements and execute Contracts in an amount less than \$150,000.00 without Board approval; provided, however, that, Board approval shall be required for any Procurement of the same or similar supplies, goods, equipment or services, which would result in the aggregate amount of such Procurements from the same vendor by the same Using Agency equaling or exceeding \$150,000.00 in any fiscal year. The “amount” of a Contract shall mean the maximum amount payable under such Contract.

No Person has the power or authority to approve, authorize or execute a Procurement, a Contract, or the expenditure of public money in the amount of \$150,000.00 or more without approval of the County Board, except in the following instances: the payment of public utility bills, the payment of rent pursuant to the provisions of a lease previously approved by the County Board, payment of insurance premiums, or other Board-authorized transactions. Any action in violation of this section shall be null and void.

Sec. 34-124. Chief Procurement Officer.

The President, with the consent of the Board, shall appoint a Chief Procurement Officer who shall serve as the purchasing agent for Cook County and shall be responsible for making all Procurements for all Using Agencies and for managing the County’s Procurement Process in accordance with this Procurement Code. Any individual so appointed shall have at least three years experience in an executive capacity in the purchasing office of a private or public entity with procurements reasonably comparable in size and nature to those of the County.

Sec. 34-125. Powers and duties of the Chief Procurement Officer.

The Chief Procurement Officer shall:

(a) Make all Procurements and conduct all activities related to the Procurement Process in accordance with the Procurement Code and any procedures promulgated pursuant hereto;

(b) Establish and maintain procurement policies and procedures, and standardized documents and forms to implement the Procurement Code;

(c) Cooperate with the Contracts Compliance Director to coordinate the procurement process with the Minority and Women Owned Business Program established pursuant to Division 8 of this Procurement Code;

(d) Develop and maintain procedures for disseminating information and notice of procurement opportunities;

(e) Have authority to implement innovative procurement methods and processes pursuant to this Procurement Code;

(f) Have authority to approve and execute an assignment of or an amendment to a Contract; provided that any such amendment does not extend the Contract by more than one (1) year, and further provided that the total cost of all such amendments does not increase the amount of the Contract beyond the authority of the CPO granted in Sec. 34-123, or in the case of Contracts approved by the Board, provided that the total cost of all such amendments does not increase the Contract by more than 10%;

(g) Have authority to establish the commencement and expiration dates of any Contract as necessary to permit the Contract period to commence upon the date of Execution of the Contract by the County, unless another commencement date is specified in the Contract;

(h) Within the CPO's authority, approve and execute Contracts;

(i) Ensure that all certifications, statements and affidavits required by this Procurement Code are submitted;

(j) Determine when supplies, materials and equipment are obsolete or unusable, and trade in, sell or dispose of such property, except for such property which is the responsibility of the Cook County Health and Hospitals System;

(k) Compile and maintain information for all Procurements, including those Procurements which do not require Board approval. The CPO shall submit a report to the Board on a quarterly basis listing the Procurements that do not require Board approval, including a list of each Person from whom the County makes such a Procurement and the method of Procurement applied, as well as Procurements that authorize the advance payment for services. The CPO shall work with the Comptroller to also provide a

quarterly report of the individual and total aggregate amount disbursements made for Procurements that do not require Board approval.

(l) Make available on the County's website information related to all Procurements, including but not limited to a list of Contracts and a list of Contractors and subcontractors;

(m) Keep a record of any Person who has been disqualified under Division 4, Disqualification; Penalties, and shall provide such record to the Cook County Health and Hospitals System;

(n) Have authority to terminate a Contract in accordance with its terms;

(o) Issue notices of violation to enforce the provisions of this Code, as applicable, and institute enforcement proceedings under Chapter 2, Article IX, as appropriate; ~~and~~

(p) Work with the Comptroller to assure that Contractors are not paid in advance of performance, unless such advance payment is provided for and properly justified in the Contract; and

(q) Have charge of such other Procurement activities as may be assigned by the President or the Board.

DIVISION 2. PROCUREMENT PROCEDURES

Sec. 34-135. Procurement methods.

All County Procurements shall be made pursuant to the appropriate procurement method set forth below and described in the applicable Section.

Sec. 34-136.	Competitive Bidding;
Sec. 34-137.	Small Procurements;
Sec. 34-138.	Requests for Qualifications or Proposals;
Sec. 34-139.	Sole Source Procurements;
Sec. 34-140.	Comparable Government Procurement;
Sec. 33-141.	Emergency Procurements;
Sec. 34-142.	Joint Procurements;
Sec. 34-143.	Consortium and Group Procurements.

Sec. 34-136. Competitive bidding.

Procurements of supplies, materials, equipment, and services shall be made by the competitive bidding process as set forth in this Section, unless such Procurements meet the criteria for another procurement method set forth in this division. The CPO shall follow the procedures set forth below for competitive bidding.

(a) *Development and approval of Bid Documents.* The Using Agency shall provide to the CPO all information required by the CPO to prepare the Bid Documents, including minimum qualifications, specifications and any special conditions.

(b) *Bid Notice.* Upon request by a Using Agency, the CPO shall publish a Bid Notice on the County's website at least (5) days before the date for the submission of Bids.

(c) *Pre-Bid conference or site inspection.* The Bid Documents shall include details of any pre-Bid conference or site inspection, including whether any such pre-Bid conference or site inspection is mandatory. The CPO shall keep a record of all Persons who request Bid Documents. The CPO will notify all Persons recorded as having requested Bid Documents of any changes with respect to such conference or inspection no later than at least 24 hours prior to the original scheduled date and no less than two (2) business days prior to any newly scheduled date for such conference or inspection.

(d) *Communications with the County regarding competitive bidding process.* From the time the Bid Notice is issued until the successful Bidder has been recommended to the Board by the CPO, all communications to the County relating to the Bid must be directed in writing (which may be electronic) only to the CPO, or as otherwise specified in the Bid Documents. Upon receipt of such a request, the CPO will determine if a response will be provided. Any such response shall be provided in an addendum to all Persons requesting the Bid Documents. Notwithstanding the foregoing, communications may be made to the Office of Contract Compliance in writing for the purpose of complying with Division 8, Minority and Women-Owned Business Enterprise Program.

(e) *No changes to Bids.* No Bid may be changed, amended or supplemented in any way after the date and time for submission of Bids.

(f) *Bid opening.* All Bids shall be opened and a record of such Bids shall be made on the date, and at the time and location as stated in the Bid Notice or as prescribed in an addendum issued by the CPO. All Bids shall be opened, and the name of the Bidder and the Bid Price shall be read publicly. If it is determined that an error was made in the public reading of the Bids, the CPO shall notify all Bidders of such error and reconvene the Bid opening to correct the record as soon as reasonably possible. If the Bids are submitted electronically, no public reading shall be required so long as a record of the Bids opened is publicly available immediately after the Bids are opened.

(g) *If only one Bid is received.* If only one Bid has been submitted, the CPO will determine whether to open the Bid or return the Bid to the Bidder via certified mail and re-issue the Bid Notice or use a different method to make the Procurement. If the Bid was submitted electronically, and is not opened, it shall be deleted from the electronic procurement system.

(h) *Evaluation of Bids.* The CPO shall review, evaluate and tabulate Responsive Bids. In determining the apparent low Bid, the CPO shall consider the Responsibility of the Bidder and all applicable preferences and incentives provided in this Procurement Code. The CPO shall then direct the Bids along with the tabulation to the Using Agency for review. Upon full review of the Bids and Bid tabulations, the Using Agency shall notify the CPO in writing of its Procurement recommendation, with justification supporting such recommendation. The CPO shall review the recommendation of the Using Agency, and shall post on the County's website the CPO's recommended Bid for award.

(i) *Bid protest.* Any Bidder who reasonably believes that the recommended Bidder is not the lowest Responsive and Responsible Bidder, or has a complaint about the bid process, may submit a bid protest, in writing, and directed to the CPO. Any bid protest must be submitted no later than three (3) business days after the date upon which the CPO posts the recommended Bid for award. The bid protest must specify why the protester believes the recommended Bidder is not the lowest Responsive and Responsible Bidder, or why the protestor believes the bid procedure was unfair, including a statement of how the alleged unfairness prejudiced the protesting Bidder and the action requested of the CPO. A bid protest based on an issue which could have been clarified through a request for clarification or

information pursuant to Sec. 34-136 (d) *Communications with the County regarding competitive bidding process*, will not be considered if the protesting Bidder failed to make such request. When a bid protest has been submitted, no further action shall be taken on the Procurement until the CPO makes a decision. The CPO shall issue a written decision on the bid protest to the protesting Bidder and to any other Bidder affected by such decision as soon as reasonably practicable. If the bid protest is upheld based on a lack of fairness in the bid procedure, the CPO shall re-bid the Procurement. If the CPO determines that the recommended Bidder was not Responsive and Responsible, that Bidder shall be disqualified and the CPO may either recommend the lowest Responsive and Responsible Bidder or re-bid.

(j) *Board Action*. Upon resolution of any bid protests, or expiration of the three (3) day protest period with no protests, the CPO shall submit the Contract to the Board, through its Finance Committee, for approval and authorization for the CPO to Execute the Contract. Once the Contract has been approved by the Board, the CPO shall post on the CPO's website information regarding the Procurement.

(k) *Right to reject Bids*. The County shall have the right to reject any and all Bids. The CPO is authorized to exercise this right on behalf of the Board. The CPO shall include a provision in the Bid Documents reserving the right to reject any and all Bids.

(l) *Procurements Under \$150,000.00*. The competitive bidding process for procurements greater than \$5,000.00 and less than \$150,000.00 may consist of a solicitation posted on the CPO's website. The CPO shall promulgate policies and procedures to implement such Procurements. The CPO is not required to read or announce such Bids publicly. The CPO shall select the lowest Responsive Bid made by a Responsible Person, and shall post on the CPO's website information regarding the Procurement.

Sec. 34-137. Small procurements.

Procurements of the same or similar supplies, goods, equipment or services by a Using Agency in an aggregate amount from the same vendor of less than \$5,000 in the same fiscal year do not require a competitive method. The CPO shall promulgate policies and procedures to implement such Procurements.

Sec. 34-138. Requests for qualifications or proposals.

(a) *Criteria for use of request for qualifications or proposals*. The CPO in consultation with the Using Agency may determine that it is in the best interest of the County to make a Procurement utilizing the Request for Qualifications or Request for Proposals process. Examples of Procurements for which an RFQ or RFP process is appropriate include but are not limited to: Procurements involving services requiring a high degree of professional skill where the ability or fitness of the Person plays an important part; Procurements where the requirements are not clearly known; Procurements where quality rather than quantity is a primary factor; and Procurements where it is not in the best interest of the County to make price a primary determinative factor. An RFP process is a competitive process under this Procurement Code, and a Person selected through an RFP process is not considered a "sole source."

(b) *Content of RFQs and RFPs*. The CPO shall determine what provisions RFQs and RFPs should contain in consultation with the requesting Using Agency and will incorporate. ~~The Using Agency shall provide the CPO with~~ the necessary details, provisions and requirements for the RFQ or RFP. RFQs and RFPs shall include a provision stating that the County may negotiate a Procurement with one or more Respondents or Proposers.

(c) *Issuance.* The CPO shall issue an RFQ or RFP after receiving a written request from the Using Agency and approval from the Using Agency regarding the contents of the RFQ or RFP. Notice of all RFQ's and RFP's shall be posted on the CPO's website.

(d) *Opening of Responses.* The Responses or Proposals shall be opened in the presence of one or more witnesses after the designated date and time for submission. A representative of the Using Agency may be present at the opening but shall not be required to attend the opening. The names of the Respondents or Proposers shall be available to the public after the Procurement has been completed.

(e) *Evaluation and Selection for Contract Negotiation.* The CPO in coordination with the Using Agency shall develop evaluation criteria which are included in the RFQ or RFP. These criteria may include, but are not limited to experience and qualifications of the Respondent or Proposer, the quality, content and completeness of the Response or Proposal, the demonstrated willingness and ability of the Respondent or Proposer to satisfy the requirements as described in the RFQ or RFP, and, if applicable, the cost proposal. The evaluation shall be performed by a committee led chaired by the CPO or a designee of the CPO, with representatives of the Using Agency and other persons designated by the CPO. Respondents or Proposers shall be accorded fair treatment with regard to evaluation of their Responses or Proposals. Any or all Respondents or Proposers may be requested to make presentations and/or submit clarifications or revisions to their Responses or Proposals for the purpose of obtaining best and final Responses or Proposals. The Using Agency shall document the results of the evaluation. The contents of the Responses or Proposals shall not be disclosed to competing Respondents or Proposers during the evaluation process or any discussions.

(f) *Contract negotiation, approval and Execution.* The Using Agency may send its recommendation to the CPO, setting forth the reasons for such recommendation, which shall be based upon the evaluation criteria. Board approval is not required to negotiate a Contract. Negotiation of a Contract's terms shall take place between the prospective Contractor(s) and representatives of the Purchasing Department and the Using Agency. After a Contract is negotiated, the CPO shall either Execute the Contract, if within the CPO's authority, or forward the Contract to the Board for approval and authorization for the CPO to execute the Contract. Such request shall include the justification for the Contract and the selection of the Contractor.

Sec. 34-139. Sole source procurements.

Procurements of supplies, equipment, goods or services may be made without use of one of the competitive processes if there is either only one source or there is a need for the unique or specialized skill, experience, or ability possessed by a particular source. The Using Agency must submit a letter to the CPO justifying the sole source Procurement, and provide any other documents or information required by the CPO.

Sec. 34-140. Comparable government procurement.

If a governmental agency has awarded a contract through a competitive method for the same or similar supplies, equipment, goods or services as that sought by the County, the Procurement may be made from that vendor at a price or rate at least as favorable as that obtained by that government agency without utilizing a competitive procurement method set forth in this Procurement Code.

Sec. 34-141. Emergency procurements.

The CPO may make Procurements and execute Contracts without use of one of the competitive processes set forth in this Procurement Code and without prior approval of the Board, when such

Procurements are necessary (i) due to a threat to public health or safety, (ii) for repairs to County property in order to protect against further loss or damage, (iii) to prevent or minimize serious disruption in County services, (iv) to ensure the integrity of County records, or (v) in the reasonable opinion of the CPO, for the best interests of the County. If practicable under the circumstances, the CPO shall obtain quotations or Proposals from at least three Persons. The CPO shall report the basis for the emergency Procurement and reasons for the selection of the Contractor to the Finance Committee of the Board within five (5) business days of making an emergency Procurement.

Sec. 34-142. Joint procurements.

Procurements may be made pursuant to the Governmental Joint Purchasing Act, 30 ILCS §525.

Sec. 34-143. Consortium and group procurements.

Procurements may be made pursuant to the County's membership or participation in a purchasing consortium, provided that the Board has approved such membership or participation, for, at least in part, the purpose of obtaining advantageous pricing and other efficiencies for the County. Procurements made through a purchasing consortium shall be approved and executed as set forth in this Procurement Code.

Sec. 34-144. Innovative procurement.

(a) The CPO may make a Procurement using innovative methods of procurement, including but not limited to electronic procurement, reverse auctions, electronic bidding, electronic auctions, and pilot procurement programs that have no cost to the County. In order to implement innovative methods of procurement, either directly or through a service provider, the CPO must make a determination that such process is competitive and in the best interest of the County.

(b) As an alternative or in addition to directly conducting procurement using innovative methods, the CPO may make a Procurement of electronic procurement services for conducting reverse auctions, electronic auctions, or provide an on-line or electronic forum for competitive Bids, Requests for Qualifications and Requests for Proposals and other types of innovative methods of procurement on the County's behalf. The Contract for such Procurement may contain such terms as the CPO deems necessary, including, but not limited to, terms that specify the source and amount of the compensation. With respect to Procurements made pursuant to this section, the CPO is authorized to charge a reasonable service fee to the Contractors from which Procurements are made in order to cover part or all of the County's costs associated with such electronic procurement, including the costs of engaging a service provider. Such service fee shall be paid as directed by the CPO.

(c) The CPO shall have authority to adopt rules and regulations for the proper administration and enforcement of the provisions of this section, including the authority to modify the requirements of this Procurement Code as necessary to implement such innovative or electronic procurement method.

(d) Any document, affidavit, certification or form required by the Procurement Code or submitted in connection with any Procurement may be accepted by the CPO in electronic format subject to compliance with accepted means and methods of verification and authentication of electronic signatures.

DIVISION 3. WAGE REQUIREMENTS

Sec. 34-160. Living Wage.

(a) Unless expressly waived by the Board, any Contract requiring the use of full-time non-County Employees to provide services or labor under the Contract shall include a provision requiring that the Contractor shall pay not less than the Living Wage to such Employees, unless such Employees' Wages are governed by Federal or State law. The Contractor shall require all subcontractors to comply with this Section. This Section shall not apply to Contracts with not-for-profit organizations or Contracts funded by Federal grants or loans.

(b) If a Contractor or any of its subcontractors is found to be in violation of this Section, such Contractor be required to pay back pay to each affected Employee, and may also be fined by the County up to \$100 for each affected Employee for each day paid at less than the Living Wage. Such penalties will not be imposed on any Person except after a hearing pursuant to Chapter 2, Article IX, Administrative Hearings.

(c) If a Contractor or any of its subcontractors is found to have retaliated against an affected Employee, the Contractor may be held to be in breach of the Contract and the Contract may be terminated unless such Contractor or the subcontractor appropriately reinstates or compensates such Employee.

(d) The CPO shall require that any such Contractor certify that it will comply with this Section.

(e) Pursuant to County Code Chapter 2, Article V, Division 3, Subdivision I, Sec. 2-408, the CFO shall annually determine the Living Wage.

(f) The CPO shall post the current Living Wage on the CPO's website.

(g) Every Contractor and subcontractor required to pay the Living Wage shall notify its Employees of the Living Wage requirement and shall notify all of its Employees annually of any adjustment to the Living Wage. In addition, the Employer shall notify its Employees that if any Employee contends that the Employer is not paying a Living Wage or has otherwise violated this Section, that Employee may file a complaint with the Cook County Commission on Human Rights ("Commission"). If at the conclusion of the Commission's investigation, the Commission finds that the Employer has violated this Section, it shall (1) in the case of an Employer receiving a property tax incentive, notify the Assessor; or (2) in the case of a Contractor or a subcontractor required to pay the Living Wage, notify the CPO, who shall exercise such remedies as are in the best interest of the County, including ordering the Employer to pay back pay and penalties, as provided in this Section.

Sec. 34-161. Illinois Prevailing Wage.

(a) To the extent required by the Illinois Prevailing Wage Act (820 ILCS 130/0.01 *et seq*) (the "Prevailing Wage Act"), the general prevailing rate of Wages in this locality for laborers, mechanics and other workers engaged in the construction of Public Works coming under the jurisdiction of this County shall be the same as the prevailing rate of Wages for construction work in the Cook County area as determined from time to time by the Department of Labor of the State of Illinois. The definition of any terms used in this Section which are also used in the Prevailing Wage Act shall be the same as in said Act.

(b) Nothing herein contained shall be construed to apply the general prevailing rate of Wages to any work or employment except Public Works of this County and only to the extent required by the Prevailing Wage Act.

(c) The CPO shall include in the Bid Notice for any Public Works Contract, and shall include in the Bid Documents, a requirement that not less than the prevailing rate of Wages as found by the County

or the Department of Labor or determined by the court on review shall be paid to all laborers, workers and mechanics performing work under such Public Works Contract.

(d) Prior to awarding any Public Works Contract, the CPO shall ascertain whether the Bidder is debarred pursuant to the Prevailing Wage Act.

Sec. 34-162. Federal Prevailing Wage.

If a Procurement will be paid for using federal funds, and if such federal funding requires compliance with the Davis-Bacon Act (40 U.S.C. 276a-276a-7), then the Contract shall contain provisions requiring that the Contractor and any subcontractors shall pay the federal prevailing Wage.

Sec. 34-163. Prevailing wages for covered services.

(a) Not less than the prevailing rate of Wages shall be paid and prevailing working conditions shall be provided to any laborer, worker and mechanic providing Covered Services under a Contract.

(b) In order to be considered a Responsive Bidder for any Contract for Covered Services, the Bidder shall certify that Wages paid to its employees will be no less, and fringe benefits and working conditions of such employees shall be no less favorable, than those prevailing in the locality in which the Covered Services are to be performed, as determined by the Chief of the Bureau of Human Resources and posted on the website.

(c) The CPO of Cook County shall include in the Bid Notice for any Contract for Covered Services, and shall include in the specifications for any such Contract a provision that (i) not less than the prevailing rate of Wages shall be paid, and prevailing working conditions shall be provided, to all laborers, workers and mechanics performing Covered Services and (ii) all bonds required under such Contract shall include such provisions as will guarantee the faithful performance of such provision in the Contract.

DIVISION 4. DISQUALIFICATION, PENALTIES

Sec. 34-170. Disqualification due to contract default or termination.

(a) If a Person has had a Contract terminated for cause by the County, or if a Person has failed to cure a default within any cure period provided by the Contract, such Person shall be ineligible to enter into a Contract with the County for a period of twenty-four (24) months from the date of termination or notice of default.

(b) When a Contract has been terminated for cause or when an uncured default exists under a Contract, the Contractor may submit a request to the CPO for a reduction or waiver of the ineligibility period. The request shall be in writing and shall include documentation that one or more of the following actions have been taken:

(1) There has been a bona fide change in ownership or Control of the ineligible Person;

(2) Disciplinary action has been taken against the individual(s) responsible for the acts giving rise to the termination or default; or

(3) Remedial action has been taken to prevent a recurrence of the acts giving rise to the termination or default.

The CPO shall review the documentation, make any inquiries deemed necessary, and determines whether a reduction or waiver is appropriate.

(c) A Using Agency may request an exception to such period of ineligibility, by submitting a written request to the CPO, supported by facts that establish that it is in the best interests of the County that the Procurement be made from such ineligible Person. The CPO shall review the documentation, make any inquiries deemed necessary, and determining whether the request should be approved. If an exception is granted, such exception shall apply to that Procurement only and the period of ineligibility shall continue for its full term as to any other Procurements.

Sec. 34-171. Disqualification for County tax or debt delinquency or obligation default.

(a) A Person that is (i) delinquent in the payment of any tax (including real estate tax) or fees administered by the County, (ii) delinquent in the payment of any debt to the County, (iii); is in default of any obligation to the County; or (iv) is a “predatory lender,” as determined pursuant to the Cook County Predatory Lending Ordinance, shall be ineligible to enter into a Contract with the County. Notwithstanding the foregoing, a Person shall not be ineligible, nor shall the County exercise any rights to set-off or other remedies set forth in Sec. 34-196 against a Person, if such Person is contesting liability for the delinquency in a pending administrative or judicial proceeding, or contesting the existence of a default, and shows proof of the contest; or if such Person has entered into an agreement for the payment of such delinquency and verifies compliance with the agreement.

(b) The CPO shall obtain a written certification from every Person from whom the County seeks to make a Procurement that such Person meets the requirements of subsection (a).

(c) The County shall not be prohibited from making a Procurement from, and shall not exercise rights to set-off or other remedies set forth in Sec. 34-196 against a Person who is contesting liability for the delinquency, in a pending administrative or judicial proceeding, or contesting the existence of a default, and shows proof of the contest; from a Person who has entered into an agreement for the payment of such delinquency and verifies compliance with the agreement.

(d) A Using Agency may request an exception to such ineligibility by submitting a written request to the CPO, supported by facts that establish that it is in the best interests of the County that the Procurement be made from such ineligible Person. The CPO shall review the documentation, make any inquiries deemed necessary, and determine whether the request should be approved.

Sec. 34-172. Disqualification for noncompliance with child support orders.

(a) A Person shall be ineligible to enter into a Contract with the County if such Person or a Substantial Owner (as defined in Article V, Sec. 34-367) is delinquent in the payment of a Court-Ordered Child Support Arrearage.

(b) If the County becomes aware that a Person or Substantial Owner becomes delinquent in payments under a Court-Ordered Child Support Arrearage after the County has entered into a Contract with such Person or Substantial Owner, then after notice from the County of such noncompliance and a thirty (30) day opportunity to pay such delinquency, such delinquency of such Person or Substantial

Owner shall be an event of default under the Contract. Such Person or Substantial Owner shall provide sufficient evidence to the CPO of payment of such delinquency.

Sec. 34-173. Disqualification for illegal activity.

(a) *Disqualifying Acts.* A Person who has been convicted of, entered a plea of *nolo contendere* as to, or made an admission of guilt, pursuant to the laws of any Federal, State or local jurisdiction, for any of the following, shall be ineligible to enter into a Contract for a period of five years from the date of conviction, entry of a plea or admission of guilt:

- (1) Bribing or attempting to bribe;
- (2) Bid-rigging, attempting to rig bids;
- (3) Price fixing or attempting to fix prices; or
- (4) Defrauding or attempting to defraud.

(b) *Disqualification due to acts of owner, partner or shareholder* A Person shall be ineligible to enter into a Contract if an individual who Controls such Person would be disqualified under any provision of this Sec.34-173.

Sec. 34-174. Disqualification for willful violation of Cook County Independent Inspector General Ordinance.

A Person found to have willfully failed to cooperate in an investigation by the Cook County Independent Inspector General shall be subject to disqualification as provided in Article II, Sec. 2-291 of the Code.

Sec. 34-175. Penalty for false statements.

Any Person who knowingly makes a false statement of material fact to Cook County in writing in connection with a Procurement is liable to the County for a penalty of \$500.00, in addition to any other remedy provided for in the Procurement Code or at law or in equity, including termination of any Contract or disqualification. No fine will be imposed on any Person except after any applicable proceeding pursuant to Chapter 2, Article IX, Administrative Hearings.

Sec. 34-176. Penalties for failure to pay Cook County taxes and fees.

The CPO shall include in every Contract a provision that entitles the County to set off and subtract from the Contract price a sum equal to any fines and penalties, including interest, for each tax or fee delinquency and any debt or obligation owed by the Contractor to the County.

Sec. 34-177. Uniform penalties, interest and procedures.

The determination as to whether a Person is disqualified under any provision of this Division 4 or has made a false statement, shall be made pursuant to Chapter 2, Article IX, Administrative Hearings.

DIVISION 5. PROCUREMENT PROCEDURES AND POLICIES FOR CERTAIN PROCUREMENTS

Sec. 34-190. Percentage of work of Public Works projects to be performed by County residents.

For any Public Works Contract having an estimated contract price of \$100,000.00 or more, where not otherwise prohibited by Federal or State law, at least fifty percent (50%) of the total hours worked on the site by employees of the Contractor and subcontractors shall be performed by residents of the County.

Sec. 34-191. Green construction.

For all competitive Bids for Public Works Contracts budgeted for \$2,000,000 or more, the Bid Documents shall comply with the requirements of Chapter 30, Environment, Article IX, Green Construction, Sec. 30-952, Emission Reduction, and any Contract resulting therefrom shall include all provisions required by Chapter 30, Article IX, Sec. 30-955.

Sec. 34-192. Predatory lenders.

With each Bid or Response submitted by a financial institution for any Contract, the following certification shall be signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the County.

Sec. 34-193 Contracts for Consulting and Auditing Services.

- (a) The County will not enter into any Contract for Auditing Services, nor shall it consent to a subcontract for such Auditing Services, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract for consulting services for or with the County. Additionally, the County will not enter into any Contract for Consulting Services, nor shall it consent to a subcontract for such Consulting Services, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract for Auditing Services for or with the County. For purposes of this provision, "County" shall refer only to offices which are administered by the President of the County Board and shall not refer to offices which are administered by Elected Officials.
- (b) The County shall not enter into any Contract for Consulting Services on behalf of an Elected Official, nor shall it consent to a subcontract for such Consulting Services on behalf of an Elected Official, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract to provide Auditing Services for the Elected Official.
- (c) The CPO shall require the Contractor in each Contract for Auditing or Consulting Services for the County (as defined in this section) to provide a certification acceptable to the CPO that neither the Contractor nor any Affiliate of the Contractor has a Contract or a subcontract to provide Consulting or Auditing Services for the County which is prohibited under Subsection (a) of this section. In addition, the CPO shall require the Contractor in each Contract to provide Consulting Services for an Elected Official to provide a certification acceptable to the CPO that neither the Contractor nor any Affiliate of the Contractor has a Contract or a subcontract to provide Auditing Services for the Elected Official which is prohibited under Subsection (b) of this section.

Subdivision I. – Selection of Professional Services for Debt Transactions

Sec. 34-200. Definitions.

The following words, terms and phrases, when used in this subdivision shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Co-managers means underwriting firms responsible for participating in the underwriting and the marketing of bonds issued by the County.

Senior managers means underwriting firms responsible for assisting with the development of the financial plan and managing the underwriting and the marketing of the bonds.

Sec. 34-201. Competitive process for legal counsel and finance teams for debt transactions.

(a) The Chief Financial Officer may request that the CPO issue an RFQ at least once every three years for selection of legal counsel and finance professionals required for debt transactions.

(b) The RFQ for legal counsel shall request at least the following information: descriptive information about each firm, the experience of the attorneys within the firm having expertise in the areas of municipal finance law or Federal tax law pertaining to tax-exempt bonds; the manner in and degree to which the firm operates or is otherwise present in the County or State; the manner in and degree to which the firm is owned by minority or female attorneys; the manner in and degree to which the firm employs minority or female attorneys and promotes or incubates the participation of minority or female attorneys in public finance initiatives; the firm's written policies regarding sexual harassment; and other special areas of expertise or strength. A "qualified" list shall be developed by the Chief Financial Officer for each type of financing.

(c) The RFQ for underwriters and other professionals shall request at least the following information, as applicable:

- (1) Experience and expertise in structuring and marketing bonds and notes, detailing experience with various types of issuances, including general obligation bonds, revenue bonds and tax anticipation notes, and including examples of similar financings on which the firm has been senior manager or co-manager.
- (2) Financial strength of the firm, particularly its capital allocated to underwriting governmental bonds.
- (3) Degree of corporate investment or "presence" in the County and State, including the location of corporate offices, brokerage offices, or back-office operations.
- (4) The manner in and degree to which the firm is owned by minorities or females; manner and degree to which the firm employs minority or female finance professionals; the manner in and degree to which the firm promotes or incubates the participation of minority or female finance professionals in public finance initiatives; and the firm's written policies regarding sexual harassment.
- (5) Other special areas of expertise or strength.

(d) A "qualified" list of underwriters and other professionals shall be developed by the Chief Financial Officer for each type of financing.

Sec. 34-202. Selection.

(a) For each debt transaction or for multiple debt transactions the Chief Financial Officer shall select three or more firms from the qualified list for each of the following, as required for the transaction: bond counsel, co-bond counsel, underwriter and co-underwriter counsel, special tax counsel, senior manager and co-manager and financial advisor. The Chief Financial Officer shall request that each of the firms under consideration submit a Proposal which shall include at least the following, as applicable: experience with the particular type of financing; a recommended strategy for identifying and targeting Procurers of the bonds experience with tax issues; knowledge of the County; the key personnel to be assigned for the engagement, including their qualifications and experience; the proposed fees for the engagement; and the manner in and degree to which female and minority professionals will provide services in connection with the transaction.

(b) The Chief Financial Officer shall recommend to the President the selection of ~~bond~~ counsel, professionals and underwriters based upon the Proposals. In making the recommendation the Chief Financial Officer shall consider a rotation to give each firm a fair opportunity to participate in County bond sales. The selection shall be made by the President, upon the recommendation of the Chief Financial Officer, and shall be submitted to the County Board for approval. The President shall report to the County Board the reasons for selection of the firm assigned the work. The Proposals shall be available for review by members of the County Board. The President shall report to the County Board the reasons for making the selections.

Sec. 34-203. Specific bond underwriter requirements.

Each Contract between the County and any bond underwriters shall include the following:

(1) The underwriter shall use its best efforts to assure that the County meets its objectives in the fair and reasonable allocation of bond selling commissions to members of the underwriting syndicate, particularly to Cook County and minority- and women-owned firms;

(2) The underwriter shall report the allocation of bond selling commissions and fees received by each member of the underwriting syndicate to the Chief Financial Officer within 30 days of closing of the bond issue; and

(3) The underwriter shall comply with all limitations or disclosure requirements concerning political contributions that are or may be imposed by the Municipal Securities Regulatory Board or the Securities and Exchange Commission. Failure by the underwriter to comply with this provision shall not void the sale, but the underwriter may be subject to disqualification as set forth in Division 5.

Subdivision II. Recycled Products.

Sec. 34-215. Purpose.

This subdivision shall be known as the "Cook County Recycled Product Procurement Policy." Its purpose is to promote market development of recycled products, recyclable products, and equipment capable of using such materials by establishing preferential purchasing programs applicable to all Using Agencies and Contractors, thereby diverting materials from the solid waste stream.

Sec. 34-216. Policies.

(a) All Using Agencies shall whenever practicable use recycled products, recyclable products and reusable products to meet their demands.

(b) Using Agencies and the CPO shall, whenever practicable, specify in the Contract Documents the use of recycled products and recyclable products.

(c) In procuring designated products pursuant to this division, the CPO shall require recovered material and/or post-consumer material content to be factors in determining the lowest Responsive Bid in any competitive bidding procurement process.

Sec. 34-217. Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chlorine-free paper or *paper products* means recycled paper in which the virgin content is unbleached or bleached without chlorine or chlorine derivatives, or virgin paper which is unbleached or processed with a sequence that includes no chlorine or chlorine derivatives.

Designated products means all products that have been or may be identified pursuant to Sec. 34-218 as products that can be procured with significant levels of recovered materials.

Minimum content standards means standards set by the County Board, or in its absence, standards or guidelines currently promulgated by the United States Environmental Protection Agency, specifying the minimum level of recovered materials and/or post-consumer material necessary for designated products to qualify as recycled products.

Paper and *paper products* means all items manufactured from paper or paperboard.

Post-consumer material means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from the solid waste stream for the purposes of collection, recycling, and disposition.

Post-consumer paper material means paper, paperboard, and fibrous waste including corrugated boxes, newspapers, magazines, mixed waste paper, tabulating cards and used cordage after the point at which they have passed through their end use as consumer items.

Practicable means:

- (1) Able to perform in accordance with applicable specifications;
- (2) Offered as the low Bid under the procedures in Sec. 34-219(b), herein;
- (3) Available within a reasonable period of time; and
- (4) Maintaining a satisfactory level of competition.

Recovered material means material and byproducts which have been recovered or diverted from solid waste, but does not include those materials and byproducts generated from, and commonly reused within, an original manufacturing process (such as mill broke or home scrap).

Recovered paper material means paper waste generated after the completion of a paper making process, such as post-consumer material, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. Recovered paper material, however, shall not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extractive or woodcutting processes, or forest residue such as bark.

Recyclable means that the product is technically capable of being recycled, and that economic markets for collecting and recycling the product exist within a reasonable distance, including steel and plastic.

Recycle or *recycling* means any process by which materials that would otherwise become municipal waste are collected, separated or processed and returned to the economic mainstream in the form of new, reused or reconstituted products, but does not include the recovery of materials for fuel in combustion or energy production processes. For lubricating oil, the term recycling is to be synonymous with re-refining. For toner cartridges, the term recycling is to be synonymous with re-manufacture.

Recycled designated product means a product designated in or pursuant to Sec. 34-218 that meets or surpasses the County's minimum content standards, and all other criteria for qualification as specified in this division.

Reusable product means a product that can be used several times for an intended end use before being discarded, such as a washable food or beverage container or a refillable ball point pen.

Sec. 34-218. Designated products and recycled designated products.

For all purposes of this subdivision, the products listed in this section or added pursuant to it are designated as products that can be readily procured with significant levels of recovered materials. Designated products shall qualify as recycled designated products if they meet minimum content standards established in this subdivision. Designated products shall include:

- (1) Paper and paper products.
- (2) Compost products.
- (3) Horticultural mulch made with recycled land clearing and other wood debris.
- (4) Construction aggregates made with recycled cement concrete, tire rubber, glass or asphalt.
- (5) Cement and asphalt concrete containing glass cullet, recycled fiber or plastic, or tire rubber.
- (6) Antifreeze.
- (7) Recycled plastic products, including lumber shapes, refuse carts, traffic cones, insulation, receptacle liners and recycling bins, traffic barriers and office products.

(8) Retreaded tires and products made from recycled tire rubber, including rubber mats and playfield surfaces.

(9) Toner cartridges for computer printers.

(10) Lubricating oil and hydraulic oil with re-refined oil content.

(11) Insulation products.

(12) Paint.

(13) Wood products containing 50 percent or more reused or deconstructed wood.

(14) Carpeting made from recycled fibers.

(15) Office furniture.

(16) All steel products.

(17) Other products as designated by the CPO.

Sec. 34-219. Requirements for procurements.

(a) Bid Notices and requests for Quotations for the procurement of tangible supplies, equipment, or goods shall contain no terms, requirements or specifications prohibiting or discouraging post-consumer or recovered material content, unless a Using Agency provides the CPO with satisfactory evidence that, for technical reasons and for a particular end use, a product containing such materials will not meet reasonable performance standards.

(b) In determining the lowest Responsive and Responsible Bid for the Procurement of designated products, the CPO shall use the procedures and evaluation criteria specified in this subdivision. If the lowest price offered for a recycled designated product is not more than the specified percentage higher than the lowest offered price for that same designated product that is not recycled, the offered price for the recycled designated product shall be considered the low Bid if such Bidder is otherwise Responsive and Responsible. The specified percentage will not be less than ten percent. However, nothing contained in this division shall preclude Using Agencies from requiring post-consumer or recovered material content as a bid specification.

(c) Each Contractor supplying the County with recycled designated products shall provide acceptable certification from all product manufacturers that the products being supplied meet or surpass County minimum content standards, and shall agree to reasonable verification procedures specified by the CPO.

(d) Bid Notices for designated products, whether recycled or not, shall require the successful Bidder to provide quarterly summaries of the quantities Procured by Using Agencies, unless the CPO determines that this requirement would significantly reduce the number of Bids received by Cook County.

(e) The County shall not Procure any item whose original manufacturer places restrictions on the remanufacturing of such item by other businesses.

Sec. 34-220. Procurement of paper and printing services.

(a) The County recycled paper procurement goal for Using Agencies (expressed as percentage of the total volume of paper Procured) shall be 60 percent. Each department shall be responsible for making its best effort to meet or surpass these goals.

(b) All paper Procured by the County shall be recycled paper, and all printed materials Procured by the County shall be on recycled paper, containing at least 30 percent post-consumer content, unless use of such recycled paper is not practicable. For all other paper products, the CPO shall adopt minimum content standards for recycled paper products which shall, at minimum, be consistent with standards presently promulgated by the United States Environmental Protection Agency.

(c) Printing services provided by the County or Procured by the County from an outside vendor shall utilize soy or other vegetable-based inks. If lithographic ink is used in printing performed by the County or in printing services Procured by the County from an outside vendor, the ink shall contain not less than the following percentages of vegetable oil:

- (1) News ink, 40 percent;
- (2) Sheet-fed and forms ink, 20 percent;
- (3) Heat-set ink, ten percent.

High quality color process printing on high speed heat-set presses is excepted when slow drying time significantly increases production costs.

(d) Departments shall publicize the County's use of recycled paper by printing the words "Printed on Recycled Paper" on all letterhead paper and on the title page of all reports printed on recycled paper.

(e) To reduce the volume of paper Procured, departments shall use both sides of paper sheets whenever practicable. If possible, copies shall be made by photo-copying from one computer-generated original, such that two-sided copies can be produced, rather than printing multiple one-sided originals.

(f) The CPO may enter into joint purchasing with other local and State agencies to reduce the cost of recycled paper product Procurements.

(g) All Bids for new equipment and services shall include language that will encourage the use of recycled paper and paper products, wherever practicable.

(h) Contracts shall contain provisions requiring all reports submitted by the Contractor shall use recycled paper, except where the specialized nature of certain materials (such as photographs) requires otherwise, and shall be printed two-sided unless two-sided printing is not practicable.

Sec. 34-221. Responsibilities and reporting requirements—CPO.

The CPO is responsible for:

- (1) Revising or amending standard Bid Documents and contract language where necessary to implement this division.
- (2) Working with Using Agencies and the Department of Environmental Control, adopt

and update minimum content standards or other specifications for designated recycled products.

Sec. 34-222. Exemptions.

Nothing in this division shall be construed as requiring a department or contractor to procure products that do not perform adequately for their intended end use or are not available at a reasonable price in a reasonable period of time.

DIVISION 6. BID INCENTIVES AND PREFERENCES

Sec. 34-230. Local business preference.

The CPO shall recommend award of the Procurement to the lowest Responsible and Responsive Bidder which is a Local Business, so long as the Bid of such Bidder does not exceed the Bid of the lowest Responsive and Responsible Bidder by more than 2%.

Sec. 34-231. Re-Entry Employment Bid Incentive Established; purpose.

There is hereby established the Cook County Re-entry Employment Bid Incentive Ordinance, with the goal of working in conjunction with the Cook County Re-entry Employment Project to assist adults who are residents of the County and who are former offenders, in finding employment opportunities. This Ordinance is intended to increase public safety and reduce recidivism. For all Public Works Contracts with an estimated Bid Price of \$100,000.00 or more, advertised after the effective date of this Ordinance, the CPO shall include the Bid Incentive provision in all such advertisements.

Sec. 34-232. Definitions.

For purposes of this division only, the following definitions apply:

Committee means Cook County Re-entry Employment Committee.

Earned Credit means the amount allocated to a Contractor upon completion of a Qualifying Contract through which the Contractor met or exceeded the goals for the utilization of Former Offenders.

Former Offenders means adults who are residents of the County and who have been convicted of a crime.

Labor hours means the total hours of workers receiving an hourly Wage who are directly employed at the work site. "Labor hours" shall include hours performed by workers employed by the contractor and all subcontractors working at the work site. "Labor hours" shall not include hours worked by nonworking foremen, superintendents, owners and workers who are not subject to prevailing Wage requirements.

Qualifying Contract means a Contract for Public Works with a Bid Price in excess of \$100,000, for which the Contractor is eligible for Earned Credits.

Sec. 34-233. Re-entry employment committee.

(a) The Committee will consist of:

- (1) A representative of the Cook County Bureau of Human Resources;
- (2) A representative of the President's Office of Employment Training;
- (3) A representative of the Office of Contract Compliance;
- (4) A representative of a nonprofit organization whose mission is to reintegrate former Offenders into society;
- (5) Two representatives appointed by the President, one of whom shall be a representative of organized labor, and one of whom shall be a Commissioner.

(b) The Committee shall work with appropriate organizations to identify Former Offenders for participation in this program.

Sec. 34-234. Employment plan.

A Contractor may qualify for Earned Credits by utilizing Former Offenders for work under a Qualifying Contract. In order to so qualify, a Bidder must include in its Bid for such Qualifying Contract an employment plan for Former Offenders by Contractor or any subcontractors. Bidders may request from the Committee a list of candidates. If the Bidder or any subcontractor employs Former Offenders or identifies potential candidates on its own, such candidates may be submitted to the Committee to determine if they are Former Offenders, as defined in this division.

Sec. 34-235. Earned credits.

- (a) Upon the completion of a Qualifying Contract, a Contractor may apply to the CPO for Earned Credits, on such forms and including such information as required by the CPO. If the Contractor met or exceeded the Former Offender employment goals established in the Qualifying Contract. If the CPO determines that the Contractor has successfully met or exceeded its employment plan in the Qualifying Contract, the CPO shall issue an Earned Credit Certificate that evidences the amount of Earned Credits calculated as set forth below. The Contractor may utilize the Earned Credits as set forth in this division in a future Bid for a Contract for Public Works of equal or greater value as the Qualifying Contract, by including a copy of the Earned Credit Certificate with its Bid.
- (b) For any Qualifying Contract, the CPO shall determine the Earned Credits, as follows. And issue an Earned Credit Certificate, which shall be valid for three years from the date of issuance.

*Percentage of Total Labor Hours
Performed by
Former Offenders*

Earned Credit

5—10 %
Over 10%

½ % of Bid price
1 % of Bid price

(c) For purposes of calculating the lowest Responsive and Responsible Bidder only, the CPO shall deduct from the Bid Price the amount of Earned Credit set forth on the Earned Credit Certificate

submitted by a Bidder. If the Bidder is awarded the Contract, such Earned Credit Certificate may not be used again in a future Bid.

Sec. 34-236. Contractor's records.

A Contractor shall retain all records supporting any Certificate of Earned Credits issued to such Contractor for a period of at least three years after issuance of such Certificate. A Contractor shall impose this requirement by contract with any subcontractors included in the employment plan. The Office of the CPO shall have access to the Contractor's and such subcontractors' records.

Sec. 34-237. Veterans Preference, definitions.

It is the policy of the County to provide an incentive for Contractors for Public Works Contracts when such Contractors utilize veterans for at least five percent (5%) of the hours worked under such Contract, as hereinafter set forth. For purposes of this Division, "*Eligible Veterans*" shall mean persons (a) who have been either members of the armed forces of the United States or while citizens of the United States, have been members of the armed forces of allies of the United States, (b) were members of such armed forces in time of hostilities occurring after September 11, 2001 , and (c) have served (i) a total of at least six months; or (ii) for the duration of hostilities regardless of the length of engagement; or (iii) in the theater of operations for less than six months but was discharged on the basis of a hardship; or the veteran was released from active duty because of a service-connected disability and was honorably discharged. The preference provided for in this Section will be 1%. The CPO shall develop procedures for implementation of this Section. This Section shall take effect six months after the date of adoption.

Sec. 34-238. Qualified Veteran-Owned Business incentive.

(a) *Qualified Veteran-Owned Business* means a business entity that is 51 percent or more owned by one or more Eligible Veterans as defined in Sec. 34-237.

(b) The CPO shall give a preference of five percent of the amount of the Contract to a Responsible and Responsive Qualified Veteran-Owned Business. The CPO shall develop procedures for implementation of this Sec. 34-238(b). This section shall take effect six months after adoption.

(c) It is the goal of the County to award each year not less than five percent of its total expenditures for supplies, materials, equipment and services to Qualified Veteran-Owned Businesses. The Contract Compliance Director may count toward its five percent yearly goal that portion of all Contracts in which the Contractor subcontracts with a Qualified Veteran-Owned Business. Each year, the CCD shall report to the County Board on all of the following for the immediately preceding 12-month period:

- (1) The number of Qualified Veteran-Owned Businesses who submitted a Bid.
- (2) The number of Qualified Veteran-Owned Businesses who entered into Contracts and the total value of those Contracts.
- (3) Whether the County achieved the goal described in this subsection.
- (4) Each year, the CCD shall review the five percent goal with input from countywide veterans' service organizations and from the business community including Qualified Veteran-Owned Businesses, and shall make recommendations to the County Board regarding continuation, increases, or decreases in the percentage goal. The recommendations shall be based upon the number of Qualified Veteran-Owned Business and on the continued need to encourage and promote businesses owned by qualified veterans.

(5) The provisions of this Division 6, Sec. 34-238(c) shall be effective as of July 1, 2013. The Contract Compliance Director shall by such date develop procedures for determining the availability of eligible veteran-owned businesses and shall report back to the County Board on the appropriateness of the five percent goal, based on such availability.

Sec. 34-239. Qualified service-disabled veteran businesses incentive.

(a) *Definitions.* For the purposes of this section the following terms are defined below:

Service-Disabled Veteran means an Eligible Veteran who became disabled in the line of duty while serving the United States Armed Forces, and who received an other than dishonorable discharge;

Service-Disabled Veteran Business means a Small Business (as defined in Division 8):

(1) Not less than 51 percent of which is owned by one or more Service-Disabled Veterans; and

(2) The management and daily business operations of which are controlled by one or more Service-Disabled Veterans or, in the case of an Eligible Veteran with permanent and severe disability, the spouse of such veteran.

(b) In addition to the goals established pursuant to Section 34-238, it is the goal of the County to award each year not less than three percent of its total expenditures for supplies, materials, equipment and services to qualified Service-Disabled Veteran-owned Businesses.

(c) The CPO will make best efforts to recruit and solicit bids and make procurements from qualified Service-Disabled Veteran-owned Businesses.

(d) The above-stated goal shall not be treated as a quota nor shall it be used to discriminate against any person or business enterprise on the basis of race, color, national origin, religion or sex.

(e) The provisions of this Division 6, Sec. 34-239 shall be effective as of July 1, 2013. The Contract Compliance Director shall by such date develop procedures for determining the availability of Service-Disabled Veteran-owned businesses and shall report back to the County Board on the appropriateness of the three percent goal, based on such availability.

DIVISION 7. INTEGRITY IN THE PROCUREMENT PROCESS

Sec. 34-250. Reporting irregularities.

The Board encourages any Person, including employees, to report any suspected or known irregularities in the County's procurement process to the County Compliance Officer of the Office of the Cook County Inspector General. In addition to any applicable laws protecting whistleblowers, the County shall ensure that a report made in good faith will not result in any adverse action taken by the Board or the County against the Person making such a report. The CPO's procedures will include a mechanism to publish this provision to all appropriate Persons.

Sec. 34-251. Communications.

For all Procurements, the CPO shall establish procedures to ensure that communications from individuals outside the County regarding a Procurement shall be memorialized and maintained in the

procurement file. Communications about a Procurement from or on behalf of an Elected Official or a Using Agency shall also be memorialized and maintained in the Procurement file.

DIVISION 8. MINORITY AND WOMAN-OWNED BUSINESS ENTERPRISES

Subdivision I. General Provisions

Sec. 34-260. Short title.

This subdivision shall be known and may be cited as the Cook County Minority- and Women-Owned Business Enterprise General Ordinance. This subdivision is applicable to all Contracts, including Public Works Contracts other than as modified pursuant to subdivision 2 of this Division 8.

Sec. 34-261. Findings.

(a) The County has heretofore adopted a Minority Business Enterprise Ordinance to ensure that minority and women's businesses are provided full and equal opportunity to participate in Contracts.

(b) The Supreme Court of the United States in *City of Richmond v. Croson*, 488 U.S. 469 (1989), has enunciated certain standards which are necessary to maintain effective affirmative action programs in compliance with constitutional requirements.

(c) The County is committed to implementing its affirmative action program in conformance with the United States Supreme Court's decision in *City of Richmond v. Croson*.

(d) In furtherance of this commitment, and at the direction of the Board, County staff and consultants conducted an investigation into the scope of any discrimination in County Procurements, and in the award of and participation in contracts in the metropolitan Chicago economy, the extent to which such discrimination or the effects thereof has denied and continues to deny minority and women's business enterprises equal opportunity to participate in Procurements and to recommend the appropriate affirmative action steps to be taken to eliminate any such discrimination and its continuing effects.

(e) Minority and women's businesses continue to be awarded prime contracts and subcontracts in dollar amounts that are disproportionately lower than the availability of such businesses willing and able to perform Contracts.

(f) The County's procurement practices in the past have contributed to the above identified underutilization of minority and women's businesses on Contracts.

(g) Minority and women's businesses continue to be disadvantaged by discriminatory practices in the local construction industry and economy when competing for Contracts and in seeking subcontracting opportunities on such Contracts.

(h) The County was a passive participant in the discriminatory practices of businesses which discriminate against minority and women's businesses by entering into contracts with such businesses.

(i) Despite its good faith efforts and implementation of previous affirmative action programs, minority and women's businesses remain at a competitive disadvantage in competing for Contracts and subcontracts.

(j) Race and gender neutral measures or affirmative action programs without numerical goals have not and are not likely to eliminate the competitive disadvantage of minority and women's businesses in participating in Contracts due to discrimination in the local economy.

(k) The numerical goals for the participation of minority and women's businesses in Contracts are commensurate with the availability of minority and women's businesses willing and able to perform County work.

Sec. 34-262 Policy and purpose.

Based on the foregoing findings, the policy and purpose of this division are as follows:

(a) It is the public policy of the County to strive to achieve the full and equitable participation of minority and female owned businesses in the County's procurement process as both prime and subcontractors.

(b) The County is committed to a policy of preventing discrimination in making Procurements, and eliminating arbitrary barriers to participation in Procurements by all persons, regardless of race, sex, or ethnicity.

(c) The purpose of this division is to establish and implement goals for participation of PCEs in Procurements, in compliance with all applicable laws.

Sec. 34-263. Definitions.

The following words, terms and phrases, when used in this division, including both subdivision I and subdivision II, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Capitalized terms not defined in this section are defined in Division 1 of this Procurement Code, or in Sec. 1-3 of the County Code. Additional terms applicable to subdivision II are set forth in such subdivision.

Broker means a Person who or which neither manufactures the supplies, equipment or goods supplied or owns or operates a store, warehouse or other establishment (and related distribution equipment) in which it maintains, consistent with industry standards, an inventory of the supplies, equipment or goods, materials or supplies required for performance of the Contract for sale in the normal course of business.

Certified or *Certification* means registration of the Minority Business Enterprises or Women's Business Enterprise status of a business in the County's Directory of Minority Business Enterprises, Women's Business Enterprises and Disadvantaged Business Enterprises ("PCE Directory").

Commercially Useful Function shall have the meaning set forth in subsection 34-383.

Contract means, for purposes of this Division 8, any Procurement or Contract (as defined in Sec. 34-121 in an amount exceeding \$25,000.00.

Contract Specific Goals means the goals established under Sec. 34-267 ~~for a particular Public Works Contract, that are based upon relevant factors,~~ including but not limited to the availability of MBEs or WBEs in the scopes of work of the Project.

County Marketplace means the Metropolitan Statistical Area for Chicago, as established by the Bureau of the Census, currently the counties of Cook, DuPage, Kane, Lake, Kendall and Will.

Economically Disadvantaged means an individual with a Personal Net Worth less than \$2,000,000 indexed annually for the Chicago Metro Area Consumer Price Index, published by the U.S. Department of Labor, Bureau of Labor Standards, beginning January 2011.

Expertise means demonstrated skills, knowledge or ability to perform, as defined by normal industry practices, including licensure where required, in a field.

Good Faith Efforts shall have the meaning set forth in Sec. 34-271.

Joint Venture means an association formed by two or more Persons to carry out a single business enterprise, for which purpose they combine their expertise, property, capital, efforts, and skills.

Manufacturer means a Person that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required for a Procurement and of the general character described by the specifications.

Minority Business Enterprise or *MBE* mean a Local Small Business, including a sole proprietorship, partnership, corporation, limited liability company, Joint Venture or any other business or professional entity:

(1) Which is at least 51 percent owned by one or more Minority Individuals, or in the case of a publicly owned business, at least 51 percent of all classes of the stock of which is owned by one or more Minority Individuals;

(2) Whose management, policies, major decisions and daily business operations are independently managed and Controlled by one or more such more Minority Individuals; and

(3) Which has its principal place of business and a majority of its regular, full time workforce located within the County's Marketplace.

Minority Individual means an individual in one of the following groups:

(1) African-Americans or Blacks, which includes persons having origins in any of the Black racial groups of Africa;

(2) Hispanic-Americans, which includes persons of Mexican, Puerto Rican, Cuban, Caribbean, Dominican, Central or South American, regardless of race;

(3) Native-Americans, which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians; or

(4) Asian-Americans (persons whose origins are in any of the original peoples of the Far East, Southeast Asia, the islands of the Pacific or the Northern Marianas, or the Indian Subcontinent); or

(5) Other groups, including but not limited to Arab-Americans, found by the County to be socially disadvantaged by having suffered racial or ethnic prejudice or cultural bias within American society, without regard to individual qualities, resulting in decreased opportunities to compete in the County's Marketplace.

Owned means having all the customary incidents of ownership, including the right of disposition, and the sharing in all risks and profits commensurate with the degree of ownership interest.

Personal Net Worth means the net value of the assets of an individual after total liabilities are deducted. An individual's personal net worth does not include the individual's ownership interest in an applicant or other Certified MBE or WBE, provided that the other Person is certified by a governmental agency that meets the County's eligibility criteria or the individual's equity in his or her primary place or residence. As to assets held jointly with a spouse, an individual's Personal Net Worth includes only that individual's share of such assets. An individual's Personal Net Worth also includes the present value of the individual's interest in any vested pension plans, individual retirement accounts, or other retirement savings or investment programs less the tax and interest penalties that would be imposed if the asset were distributed at the present time.

Program means the Minority and Women Owned Businesses Enterprise Program established in this division, and shall include the Public Works Participation Program

Program Goals means the goals set forth in Sec. 34-267.

Protected Class Enterprise or *PCE* shall mean those Persons qualifying under the definitions of *Minority Business Enterprise* and *Women's Business Enterprise* contained in this section.

Public Works Participation Program means the program established pursuant subdivision II.

Regular Dealer means a Person that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character required for the Procurement are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a Regular Dealer, the Person must be an established business that engages, as its principal business and under its own name, in the Procurement and sale or lease of the products in question. A Person may be a Regular Dealer in such bulk items as petroleum products, steel, cement, gravel, stone, or asphalt without owning, operating, or maintaining a place of business if the Person both owns and operates distribution equipment for the products. Any supplementing of such Person's distribution equipment shall be by a long-term lease agreement and not on an ad hoc or contract-by-contract basis. Packagers, manufacturer representatives, or other Persons who arrange or expedite transactions are not Regular Dealers.

Small Business means a small business as defined by the U.S. Small Business Administration, pursuant to the business size standards found in 13 CFR Part 121, relevant to the scope(s) of work the Person seeks to perform on Contracts. A Person is not an eligible small business enterprise in any calendar fiscal year in which its gross receipts, averaged over the Person's previous five fiscal years, exceed the size standards of 13 CFR Part 121.

Socially Disadvantaged means an individual who has been subjected to racial, ethnic or gender prejudice or cultural bias within American society because of his or her identity as a member of a group

and without regard to individual qualities. Social disadvantage must stem from circumstances beyond the individual's control. A Socially Disadvantaged individual must be a citizen or lawfully admitted permanent resident of the United States.

Utilization Plan means a plan for utilization of PCEs described in Sec. 34-383.

Woman means a person of the female gender.

Woman-Owned Business Enterprise or *WBE* means a Local Small Business, including a sole proprietorship, partnership, corporation, limited liability company, Joint Venture or any other business or professional entity:

(1) Which is at least 51 percent Owned by one or more Women, or in the case of a publicly owned business, at least 51 percent of all classes of the stock of which is Owned by one or more Women;

(2) Whose management, policies, major decisions and daily business operations are independently managed and Controlled by one or more such Women; and

(3) Which has its principal place of business and a majority of its regular, full time work force located within the County's Marketplace.

Sec. 34-264. Race- and gender-neutral measures to implement the Program.

The County shall use measures such as the following in implementing the Program.

(a) Establishing schedules for submitting Bids and Quotations with adequate time frames for identifying and contacting PCEs qualified to participate in the Procurement;

(b) Segmenting Procurements to facilitate the participation of MBEs, WBEs and other Small Businesses;

(c) Providing timely information on contracting procedures, Bid preparation and specific contracting opportunities;

(d) Holding pre-Bid conferences, where appropriate, to explain the projects and to encourage Contractors to use available qualified PCEs.

(e) Reviewing retainage, bonding and insurance requirements to eliminate unnecessary barriers to contracting with the County;

(f) Collecting information from all Contractors detailing the Bids or proposals received from all subcontractors for Procurements and the expenditures to PCEs;

(g) At the discretion of the CCD, in cooperation with the CPO, periodically entering into a procurement process without Program Goals or Project Specific Goals in order to determine MBE and WBE utilization in the absence of such goals;

(h) Referring complaints of discrimination to Cook County's Commission on Human Rights, or other appropriate authority, for investigation.

Sec. 34-265. Program administration.

(a) The Office of Contract Compliance, under the direction of the CCD, who shall report to the President, shall administer the Program. The duties of the CCD shall include:

(1) Formulating, proposing and implementing rules and regulations for the development, implementation and monitoring of the Program.

(2) Providing information and assistance to PCE's and Small Businesses relating to the Program, and serve as a liaison to community, contractor, professional and supplier groups, and associations and organizations.

(3) Establishing uniform procedures and criteria for certifying, recertifying and decertifying Persons as PCEs, accepting certifications by other agencies, and maintaining a directory of Certified PCEs.

(4) Establishing Contract Specific Goals based upon the availability of PCEs to provide the supplies, materials and equipment or services required by the Contract;

(5) Monitoring Contracts to evaluate compliance with Contract Specific Goals and commitments.

(6) Cooperating with and providing assistance to Using Agencies to facilitate participation by PCEs in Procurements.

(7) Reviewing, approving or rejecting Utilization Plans for achievement of Contract Specific Goals, and evaluate the extent to which goals were achieved.

(8) Monitor contracts to ensure compliance with Sec. 34-388, Prompt Payment of PCEs.

(9) Receiving, reviewing, and acting upon complaints and suggestions concerning the Program.

(10) Evaluate the effectiveness and utility of the Program.

(11) Monitoring the Program and the County's progress towards the Program Goals. The CCD shall report on a quarterly and annual basis to the President on the Program.

(12) The CCD shall report to the CCC, at its request, information regarding the administration of the Program and its progress toward achieving the Program Goals.

(b) Using Agencies shall cooperate with the CCD in the administration of the Program, specifically including assisting the CCD with setting Contract Specific Goals and assisting in the identification of available MBEs and WBEs.

Sec. 34-266. Contract Compliance Committee.

The Contract Compliance Committee ("CCC") shall be a Standing Committee of the Board, consisting of seven members of the Board selected as set forth in Chapter 2, Article III, Sec. 2-105 of the Code. The CCC shall review procedures, proposed modifications to the Program or this division 8, and complaints as referred by the CCD or the CPO.

Sec. 34-267. Program goals.

(a) The County aspires to the following annual Program Goals: A goal of twenty-five percent (25%) of the annual total dollar amount of Contracts other than Public Works Contracts to MBEs, and ten percent (10%) of the total dollar amount of such Contracts to WBEs.

(b) The CCD, in consultation with the CPO and the Using Agency shall establish Contract Specific Goals for each Contract. In establishing a Contract Specific Goal, the CCD shall consider the availability of sufficient Certified MBEs and WBEs for the supplies, materials and equipment or services required as part of the Procurement.

(c) No goal shall be treated as a quota nor shall it be used to discriminate against any Person on the basis of race, color, national origin, religion or sex.

Sec. 34-268. Certification

The CCD shall Certify only Persons that meet all the following criteria:

(a) The Person must be either an MBE or a WBE, or must establish that such Person has individually suffered bias such that his or her opportunities to form and operate a successful business have been substantially diminished because of race, ethnicity, culture or disability. (b) The Person must be either an individual who is Socially and Economically Disadvantaged or 51 % Owned by one or more individuals who are Socially and Economically Disadvantaged.

(1) The Ownership by a Socially and Economically Disadvantaged Person must be real, substantial, and continuing, going beyond *pro forma* ownership of the Person as reflected in Ownership documents.

(2) The contributions to acquire the Ownership interest must be real and substantial. If Expertise is part of the contribution, the Expertise must be of the requisite quality generally recognized in a specialized field, necessary to the Person's potential success, specific to the type of work the Person performs and documented in the Person's records.

(b) The Person must be managed and Controlled by one or more Socially and Economically Disadvantaged individual.

(1) There must not be any formal or informal restrictions that limit the customary discretion of the Socially and Economically Disadvantaged individual(s). There can be no restrictions through corporate charter provisions, by-law provisions, contracts or any other formal or informal devices that prevent the Socially and Economically Disadvantaged individual(s), without the cooperation or vote of any non-Socially and Economically Disadvantaged individuals, from making any business decision of the Person, including the making of obligations or the dispersing of funds.

(2) The Socially and Economically Disadvantaged individual(s) must possess the power to direct or cause the direction of the management and policies of the Person and to make day-to-day as well as long-term decisions on management, policy, operations and work.

(3) The Socially and Economically Disadvantaged individual(s) may delegate various areas of the management or daily operations of the Person to individuals are not Socially and Economically Disadvantaged. Such delegations of authority must be revocable, and the Socially and Economically Disadvantaged individual(s) must retain the power to hire and fire any such Person. The Socially and Economically Disadvantaged individual(s) must actually exercise control over the Person's operations, work, management and policy.

(4) The Socially and Economically Disadvantaged individual(s) must have an overall understanding of, and managerial and technical competence, experience and Expertise, directly related to the Person's operations and work. The Socially and Economically Disadvantaged individual(s) must have the ability to intelligently and critically evaluate information presented by other participants in the Person's activities and to make independent decisions concerning the Person's daily operations, work, management, and policymaking.

(5) If federal, state or local laws, regulations or statutes require a particular license or other credential to own or Control a certain type of Person, then the Socially and Economically Disadvantaged individual(s) must possess the required license or credential.

(6) A Socially and Economically Disadvantaged owner cannot engage in outside employment or other business interests that conflict with the management of the Person or prevent the owner from devoting sufficient time and attention to manage and Control the Person's day to day activities.

(c) Only an independent Person may be certified as a MBE or WBE. An independent Person is one whose viability does not depend on its relationship with another Person. Recognition of an applicant as a separate entity for tax or corporate purposes is not necessarily sufficient to demonstrate that a Person is independent. In determining whether an applicant is an independent business, the CCD will:

(1) Scrutinize relationships with non-Certified Persons in such areas as personnel, facilities, equipment, financial and/or bonding support, and other resources.

(2) Consider whether present or recent employer/employee relationships between the Socially and Economically Disadvantaged owner(s) of the applicant and non-Certified Persons associated with non-Certified Firms compromise the applicant's independence.

(3) Examine the applicant's relationships with non-Certified Persons to determine whether a pattern of exclusive or primary dealings with non-Certified Persons compromises the applicant's independence.

(4) Consider the consistency of relationships between the applicant and non-Certified Persons with normal industry practice.

(d) The Person shall be Certified only for specific supplies, equipment, goods or services, or for types of work in which the Socially and Economically Disadvantaged owner(s) has the ability and Expertise to manage and Control the Person's operations and work.

(e) In lieu of conducting its own certifications, the CCD by rule may accept formal certifications by other entities as meeting the requirements of the Program, if the CCD determines that the certification standards of such entities are comparable to those set forth herein.

(f) The certification status of all MBEs and WBEs shall be reviewed periodically by the Office of Contract Compliance. Failure of the Person to seek recertification by filing the necessary documentation with the CCD as provided by rule may result in decertification.

(g) It is the responsibility of the Certified PCE to notify the CCD of any change in its circumstances affecting its continued eligibility for the Program. Failure to do so may result in the PCE's decertification.

(h) The CCD shall decertify a PCE that does not continuously meet the eligibility criteria.

(h) Decertification by another agency shall create a *prima facie* case for decertification by the County. The challenged PCE shall have the burden of proving that its County certification should be maintained.

(j) A Person that has been denied certification or recertification or has been decertified may protest the denial or decertification as provided by rule.

(k) A Person found to be ineligible may not apply for certification for six (6) months after the effective date of the final decision.

(l) A third party may challenge the eligibility of an applicant for Certification or a Certified PCE pursuant to procedures established by the CCD. Such challenges shall be signed and sworn by the individual challenging the eligibility of an applicant for Certification or a Certified PCE. The burden of proof shall rest with the complainant. Such challenges to eligibility shall be subject to an appeal. The CCD shall be the final arbiter of all challenges. The presumption that the challenged PCE is eligible shall remain in effect until the CCD renders a final decision.

Sec. 34-269. Utilization plan; commercially useful function.

(a) *Utilization Plan required.* The CPO shall include in Contract Documents for Contracts covered by this Division, a requirement that a Utilization Plan be submitted which either: (i) commits to PCE participation equal to or greater than the applicable Program Goals or Contract Specific Goals, or (ii) requests a waiver of all or a portion of a Program Goal or Contract Specific Goal. The Utilization Plan shall be in such form and contain such information as is required by the CCD. Failure to include a Utilization Plan will render the submission not Responsive. The CCD shall review and either approve or reject the Utilization Plan. For purposes of evaluation a Utilization Plan, only PCEs which perform a Commercially Useful Function shall be considered.

(b) *Commercially Useful Function.* To be considered in meeting Goals, a PCE must perform a Commercially Useful Function, as determined pursuant to this subsection 34-269(b). “Commercially Useful Function” means the performance of a distinct element of work required for the Procurement, with the requisite skill and Expertise.

(1) In the case of a Procurement of goods or equipment, ordering from a manufacturer or distributor for delivery directly to the Using Agency is not a Commercially Useful Function; provided, however, that to the extent such practice is consistent with normal industry practices, a PCE subcontractor may enter into second tier subcontracts. However, if a PCE Contractor or subcontractor subcontracts a significantly greater portion of the work of the Contract than would be expected on the basis of normal industry practices, the PCE shall be presumed not to be performing a Commercially Useful Function.

(2) In the case of a Procurement of services, a Person which subcontracts with another Person to perform the services required does not perform a Commercially Useful Function unless such Person also performs significant supervisory or management responsibilities. A Broker does not fulfill a Commercially Useful Function. In the case of a Joint Venture partner, each Joint Venture partner must perform a Commercially Useful Function.

(c) PCE does not perform a Commercially Useful Function if its role is limited to that of an extra participant in the Contract through which funds are passed in order to obtain the appearance of PCE participation.

(d) When a PCE is presumed not to be performing a Commercially Useful Function, the Certified PCE and the Person seeking to include that PCE in its Utilization Plan, may present evidence to rebut this presumption.

(e) Once a Utilization Plan has been approved, the Contractor cannot make changes to the Utilization Plan, including substituting PCEs named in the Utilization Plan, without the prior written approval of the CCD, CPO and the Using Agency. The CCD shall promulgate procedures for changes to the Utilization Plan.

Sec. 34-270. Methods to Achieve Goals and Compliance.

A Person may achieve the applicable Contract Specific Goals in any one or more of the methods set forth below. The same PCE, whether as a contractor, subcontractor or supplier, cannot be utilized as both a MBE and a WBE on the same Contract.

(1) *PCE as prime Contractor.* An MBE or WBE may count its own participation toward the achievement of the applicable MBE or WBE goal. Such PCE will be required to meet the other goals by another method described herein. If a WBE is also a MBE, such WBE's participation may count toward either the MBE or WBE Goal but not both.

(2) *Joint Venture with one or more PCE.* Where a Person engages in a Joint Venture with one or more PCEs, the Utilization Plan shall include a written agreement at least the information set forth in subsection 34-384 (ii) 1 through 4 below. The CCD shall consider the following in determining whether the proposed Utilization Plan satisfies the Program Goals based upon such written Joint Venture agreement and the Utilization Plan.

- a. Each Joint Venture partner's initial capital investment;
- b. The extent to which the PCE's proposed participation in the performance of the Contract constitutes a Commercially Useful Function;
- c. Whether the PCE's share in the risks and profits of the Joint Venture is proportional to their ownership interest;
- d. Whether the PCE will have duties, responsibilities, management Control and risk with respect to the Joint Venture in proportion to its ownership interest;

(3) *Subcontracting.* A Person may achieve the Contract Specific Goals by means of subcontracting with, or purchasing from one or more PCEs.

Sec. 34-271. Request for a total or partial waiver; Good Faith Efforts.

(a) In reviewing a partial or total request for waiver of a Goal, the CCD shall determine whether a Person has made good faith efforts to meet the applicable Goals and to what extent the waiver request should be granted. In determining whether a Person has made Good faith efforts, the CCD will consider whether the Person has taken the following actions:

(1) Review lists of PCEs maintained by the County and other State and local governments and agencies to identify qualified PCEs for solicitation for Bids;

(2) Divide Procurement requirements into small tasks or quantities. This shall include, where appropriate, breaking out Contract work items into economically feasible units, consistent with the availability of PCEs, to facilitate PCE participation, even when the Contractor would otherwise prefer to perform these work items with its own forces.

(3) Adjust any insurance requirements imposed by the Person seeking PCEs, or otherwise assist PCEs in obtaining any required insurance, where economically feasible, to encourage participation by PCEs;

(4) Make timely attempts to contact PCEs providing the type of supplies, equipment, goods or services required for the Procurement; and provide them with a convenient and timely opportunity to obtain and review all information concerning the Procurement necessary to enable such PCE to respond;

(5) Follow up initial contacts of PCEs to determine if they are interested participating in the Procurement;

(6) Negotiate in good faith and on a timely basis with PCEs to enable them to participate in the Procurement. Evidence of such negotiation includes the names, addresses, and telephone numbers of PCEs that were contacted; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and why agreements could not be reached. The Contractor may not reject PCEs as being unqualified without sound reasons. That there may be some additional costs involved in finding and using PCEs is not in itself sufficient reason for a Contractor's failure to meet the Goals, as long as such costs are reasonable.

(7) Make efforts to assist interested PCEs in obtaining necessary equipment, supplies, materials, or related assistance or services, where appropriate; provided, however, that such efforts shall not be inconsistent with the requirement that the PCE be responsible for actually obtaining and paying for such items.

(8) Establish delivery schedules which will encourage participation by PCEs, where the requirements of the Procurement permit;

(9) Use the services and assistance of the CCD's staff, the Small Business Administration, the Office of Minority Business Enterprises of the U.S. Department of Commerce;

(10) Timely notify appropriate community and minority and women's business organizations identified as assist agencies of the opportunity for participation in the Procurement;

(11) Demonstrate to the CCD that no PCE exists with which a mentor/protégé relationship could be established, as described in Sec. 34-271.

(b) In determining whether a Bidder or Respondent has made Good Faith Efforts, the levels of participation by PCEs set forth in Utilization Plans submitted by other Persons for the same Procurement may be considered. For example, if the apparent successful Bidder or Respondent fails to meet the Contract Specific Goals, but meets or exceeds the average PCE participation obtained by other Bidders or Respondents, this may be evidence that the apparent successful Bidder or Respondent made Good Faith Efforts.

(c) Where the County requires professional services, the County must be able to call upon those professionals whose particular training and experience are most beneficial to the County.

(1) The County sets an annual "best efforts" goal of 35 percent PCE participation for the total professional services and consulting services utilized by the County.

(2) A Utilization Plan shall be required, and if a waiver or partial waiver is requested, "good faith" efforts shall be demonstrated as set forth in Sec. 34-271; provided, however, that such Persons shall not be required to attempt to subcontract with PCEs if sub-contractors would not typically be utilized for the type of Procurement. In such cases, the Person shall document the reasons for not sub-contracting in a waiver request.

(3) The Contractor will endeavor to maximize use of PCEs for supplies, equipment, goods or services for such Contractor's business operations not specifically for the Procurement.

(4) If such Persons is required to have or has an affirmative action plan and goals, such plan and goals shall be submitted with their Utilization Plan. The CCD shall compare such plan and goals with the Person's actual affirmative action achievements and such achievements may be considered by the County in future Procurements.

(d) *Mentor/protege agreements.* Where a Contractor enters into mentor/protege agreement with a PCE to improve or develop certain aspects of the business of the PCE, the CCD shall evaluate the effect of such agreement as a factor in determining good faith efforts. The mentor/protege agreement may provide for the Contractor to assist the PCE in such areas as technical aspects of the PCE's business, improving financial management, or providing on-the-job training. To constitute good faith efforts, the mentor/protégé agreement shall satisfy the following requirements.

(1) The PCE performs a Commercially Useful Function;

(2) The agreement shall be included in the Utilization Plan; and

(3) The agreement clearly defines the respective responsibilities of the Contractor and the PCE and includes specific, measurable goals to be attained by both parties through the performance of the agreement. In order to be a factor in establishing best efforts, the mentor/protégé agreement must be for a reasonable period of time.

(e) The CCD may grant a total or partial waiver based upon the following criteria:

(1) There are not sufficient PCEs capable of providing the supplies, equipment, goods or services required for the Procurement;

(2) The Procurement cannot reasonably be divided;

(3) The price required by potential PCEs is more than ten percent above competitive levels; and

(4) Any other factor relating to good faith efforts as set forth in the Person's Utilization Plan.

Sec. 34-272. Calculating PCE participation.

In calculating a PCE's participation, only dollar amounts commensurate with a PCE's performance of a Commercially Useful Function may be counted.

(a) The dollar value of that portion of a Procurement that is performed by the PCEs' own forces shall be counted, including the cost of supplies, materials and equipment furnished by the PCE for the

Procurement, whether purchased or leased (except to the extent purchased or leased from the Contractor or the Contractor's Affiliate).

(b) The dollar amount of fees or commissions charged by a PCE for providing a bona fide service, such as professional, technical, consultant, managerial, insurance brokerage or surety services, shall be counted, provided the fee is reasonable and not excessive as compared with fees customarily charged for similar services.

(c) When a PCE is a Joint Venture partner, only the dollar value of the distinct, clearly defined work performed by the PCE with its own forces, shall be counted.

(d) Only the dollar value must be commensurate with the work the PCE actually performs.

(e) One hundred percent (100%) of the cost of the supplies, equipment or goods obtained from a PCE Manufacturer or Regular Dealer shall be counted.

(f) One hundred percent of the fees or transportation charges for the delivery of supplies, equipment, materials or goods shall be counted only if the payment of such fees is a customary industry practice and such fees are commensurate with fees customarily charged for similar services.

(g) If a PCE ceases to be Certified during its performance on a Procurement, the dollar value of work performed under a Contract with that Person after it has ceased to be Certified shall not be counted.

(h) Only the dollar amount actually paid to the PCE shall be counted toward the participation of a PCE.

Sec. 34-273. Review of contract performance.

(a) *Compliance with Utilization Plan.* The CCD shall review the Contractor's compliance with its Utilization Plan as necessary during the performance of the Contract. The CCD may establish such requirements for periodic Contractor reporting on compliance with its Utilization Plan as the CCD determines appropriate and necessary. A Contractor shall be required to provide any additional requested compliance documentation within 14 days of request by the CCD.

(1) If the CCD determines that the Contractor has failed to comply with its Utilization Plan, the CCD shall notify the CPO of such failure. The CPO shall then send notice of default to the Contractor, and the Contractor shall have such time to cure the default as is provided in the Contract. If no such period is provided, the Contractor shall have ten days to cure such default. For purposes of this Section, providing a plan for bringing the Contract into compliance with the Utilization Plan may constitute a cure, if compliance cannot reasonably be achieved within the applicable cure period, and if compliance is achieved in accordance with such plan.

(2) If a Contractor fails to provide any documentation required by the CCD, the CCD shall notify the CPO of such failure. The CPO shall then send notice of default to the Contractor, and the Contractor shall have such time to cure the default as is provided in the Contract. If no such period is provided, the Contractor shall have ten days to cure such default.

(b) *Bid and target market programs.* To address more specifically the barriers to PCE participation as prime Contractors in County work, the CCD may recommend to the CPO to institute the following special PCE bidding provisions, following determination of the appropriateness of such provisions.

(1) In connection with the award of a Contract subject to competitive bidding on which a PCE has bid and where the PCE is bidding on the item in question for the first time; and has never successfully bid on a Cook County purchasing contract, the Contract Compliance Director may, at the opening of the bids on the item, compare the PCE Bid with the lowest Bid, and, if the PCE's Bid is closely competitive as defined by guidelines to be established by the Contract Compliance Director with that of lowest actual Bids, direct the CPO to declare the PCE the successful Bidder. A PCE may use this procedure only once to become the successful Bidder on any particular item. Thereafter, the PCE must be totally competitive in terms of price to be the successful Bidder.

(2) The Contract Compliance Director shall develop and coordinate a target market program as follows:

a. The Contract Compliance Director shall review the availability of PCEs providing various goods and services and shall identify for inclusion in a potential program for bidding among PCE Persons certain commodity areas with sufficient PCE availability to ensure that the County receives a competitive price. The Contract Compliance Director shall report his/her findings and recommendations to the Contract Compliance Committee;

b. Upon a determination by the CCD that such a program is advisable for any particular commodity procurement, the Contract Compliance Director will institute the following procedures:

1. The Contract Compliance Director will notify the CPO of identification of those commodity codes appropriate for a target market program;

2. To the extent practicable, the CPO, with the aid of the Contract Compliance Director, shall divide procurement in the designated commodity areas into economically feasible sizes to facilitate Bids or offers from PCEs and shall designate contracts to be offered under the target market program;

3. The CPO shall offer PCEs the opportunity to bid on such contracts in a limited competition;

4. All standard County rules for bidding will then become effective and, provided that at least three PCEs Bid or make an offer on the contract, the lowest Responsive and Responsible Bidder among the PCEs will receive the contract;

5. In the event less than three PCEs Bid or make an offer on the Contract or if there is no Responsive Bid or offer received from a Responsible PCE, the CPO shall rebid the Contract not subject to the target market program.

c. Participation in the target market program shall be limited to Minority Business Enterprises, Women's Business Enterprises and Joint Ventures consisting exclusively of Minority Business Enterprises, Women's Business Enterprises or both. The PCE Contractor on a target market Contract may subcontract up to 49 percent of the dollar value of the target market Contract to subcontractors who are not Minority Business Enterprises or Women's Business Enterprises.

Sec. 34-274. Prompt payment of PCEs.

If an invoice from a Contractor includes payment for supplies, equipment, goods or services furnished by a PCE, Contractor shall pay such PCE for such supplies, equipment, goods or services within thirty (30) days after receipt of payment from the County. The CCD shall investigate any complaint or charge of excessive delay in payment, and shall report the results of such investigations to the Contract Compliance Committee and to the County Comptroller. Failure of Contractor to comply with this Sec. 34-388 shall constitute a material breach of the Contract.

Sec. 34-275. Reporting and review.

The CCD shall report to the Board on an annual basis with respect to the following:

(1) The percentage of the total dollar amount of Procurements for such year actually received by PCEs;

(2) The number of MBEs and WBEs available for participation in Procurements, by category;

(3) An evaluation of the effectiveness of this division in ensuring equitable participation by PCEs in Procurements;

(4) An assessment of the continuing need for the Program;

(5) Identification of any enforcement problems; and

(6) Any recommendations with respect to modifying or improving the Program, including discontinuing or modifying Program Goals in those cases where Minority Business Enterprises and Women's Business Enterprises no longer are disadvantaged by the effects of discrimination in their participation in Procurements.

Sec. 34-276. Prohibited provisions.

Any agreement between a Contractor and a MBE or WBE in which the Contractor requires that the MBE or WBE not provide subcontracting quotations to other Contractors is prohibited.

Subdivision II. Participation in Cook County Public Works Contracts

Sec. 34-285. Short title; incorporation of provisions.

This subdivision may be known and cited as the Cook County Public Works Minority- and Women-Owned Business Enterprise Ordinance. The provisions of the Cook County Minority- and Women-Owned business Enterprise General Ordinance are applicable to Public Works Contracts, except to the extent modified hereby.

Sec. 34-286. Findings.

(a) The findings set forth in subdivision I Sec. 34-261 of this division 8 are incorporated herein by this reference.

(b) The requirement in subdivision I that minority- and women-owned businesses (M/WBEs) be allotted certain percentages of County construction contracts was ruled unconstitutional as applied to

construction contracts in *Builders Association of Greater Chicago v. County of Cook*, 256 F.3d 642 (7th Cir. 2001). See also *Builders Association of Greater Chicago v. City of Chicago*, 2003 WL 1786489, 2003 U.S. Dist. Lexis 23287 (N.D. Ill. 2003).

(c) The President and the Board of Commissioners of the County of Cook, after considering (i) evidence presented at trial in *Builders Association of Greater Chicago v. City of Chicago*, 298 F.Supp.2d 725 (N.D. Ill. 2003) and *Northern Contracting, Inc. v. Illinois Department of Transportation*, 2005 U.S. Dist. LEXIS 19868 (N.D. Ill. Sept. 8, 2005); (ii) County statistical evidence of continuing discrimination against Blacks, Hispanics, Asians and women in the County's Procurements; (iii) the Report title, "Review of Compelling Evidence of Discrimination Against Minority- and Women-Owned Business Enterprise in the Chicago Area Construction Industry and Recommendations for Narrowly Tailored Remedies for Cook County, Illinois;" as well as (iv) anecdotal evidence of discrimination against minorities and women in the County's Public Works Contracts; and (v) receiving and considering written reports, adopts the following findings as a strong basis in evidence supporting a narrowly tailored, remedial affirmative action program in Public Works Contracts.

(d) The County seeks to provide a level playing field and equal access for all prime contractors and subcontractors to participate in Public Works Contracts;

(e) The County has engaged in committee hearings in which the County has heard anecdotal evidence of discrimination in the construction industry, has commissioned a study on the levels of PCE participation in Public Works Contracts, has reviewed the report prepared indicating evidence of discrimination in Public Works Contracts and has considered the evidence in relevant case law; and

(f) In the absence of application of the Program to Public Works Contracts, the County has witnessed a drastic decline in PCE in its Public Works Contracts, to levels below the availability of PCEs, and thus, the County would be a passive participant in a discriminatory marketplace without the application of PCE goals.

Sec. 34-287 Policy.

Based on the findings set forth in subdivision I, Sec. 34-261 and the findings set forth in subdivision II, Sec. 34-286, and in addition to the policy set forth at Sec. 34-262, the policy and purpose of this subdivision is to establish and implement goals for participation of PCEs in Public Works Contracts, in accordance with all applicable laws.

Sec. 34-288. Program goals.

The Program Goal applicable to Public Works Contracts shall be a goal of twenty-four percent (24%) of the annual total dollar amount of Public Works Contracts to MBEs and a goal of not less than ten percent (10%) of the annual total dollar amount of Public Works Contracts to WBEs. In establishing a Contract Specific Goal for Public Works Contracts, the CCD shall consider the availability of sufficient Certified MBEs and WBEs for each trade required as part of the project.

Sec. 34.-289. Commercially useful function.

To determine whether a PCE is performing a Commercially Useful Function, the County will evaluate whether the portion of the work subcontracted to or by a PCE is in accordance with industry standards. For example, if a PCE subcontracts a greater portion of the work of a Contract than would be expected based on normal industry practice, it is presumed not to perform a Commercially Useful Function. In addition, to perform a Commercially Useful Function, the PCE must be responsible, with respect to materials, equipment and supplies used in performing its portion of the Contract, for negotiating price, determining whether quality meets specifications, ordering the material, installing (where applicable) and paying for the material itself.

DIVISION 9. CONTRACT MANAGEMENT

Sec. 34-300. Contracts

(a) *Purpose.* The purpose of this Division is to ensure that Contracts in an amount of \$1,000,000.00 or more are performed in accordance with the Contract terms.

(b) *Applicability.* This Division shall only apply to Contracts of \$1,000,000.00 or more.

(c) *Funding.* The extent to which this division shall be implemented shall be limited to the availability of funding. The Board encourages the County to seek out any available grant funding for this initiative.

Sec. 34-301. Information to be contained in Contracts

All Contracts over \$1,000,000.00 should contain, but not be limited to, the following information, as applicable:

(a) Clearly state the specifications, contract period, allowable renewals or extension periods, and procedures for amendments or changes;

(b) Provide for specific measurable deliverables and reporting requirements, including due dates;

(c) Describe any payment schedules and escalation factors;

(d) Contain performance standards;

(e) Tie payments to the acceptance of deliverables or the final product;

(f) Contain all standard or required clauses as published in an RFP. Order of precedence should be addressed in case of a discrepancy between the RFP and the Contract;

(g) Contain appropriate signatures, approvals, acknowledgements, or witnesses; and

(h) Be reviewed and approved as to form by an attorney from the Cook County State's Attorney's Office prior to execution.

Sec. 34-302. Contract management for Contracts.

(a) Using Agency responsibilities are as follows:

(1) Designate one or more individuals as the "Contract Manager" with the knowledge, skills, ability and time to monitor the Contract;

(2) The CPO may provide staff to assist the Using Agency in complying with this division.

(b) Contract Manager's duties:

(1) Monitor performance of the Contract in accordance with its terms;

(2) Track budgets and compare invoices and charges to contract terms and conditions;

(3) Document the timeliness and acceptance or rejection of deliverables and initiate appropriate action to enforce the Contract terms; and

(4) Evaluate and document compliance with Contract requirements on a periodic basis during the term of the Contract and submit to the CPO.

(c) CPO's duties:

(1) Create uniform evaluation forms for use by Contract Managers, to evaluate the extent to which the Contractor satisfied the Contract terms;

(2) Establish appropriate procedures to ensure that evaluations are utilized in determining whether a Bidder or Proposer is Responsible; provided, however, that evaluations made only within the past three years shall be considered;

(3) Assist Using Agencies in obtaining training through the National Contract Managers Association, Institute of Supply Management or National Institute of Government Purchasing standards, for Contract Managers.

DIVISION 10. INVOICES FOR SERVICES RENDERED

Sec. 34-310. Invoices required for all service Contracts.

(a) *Work Performed.* All Contracts for services, regardless of compensation structure, shall contain a provision requiring the Contractor to maintain and submit for review upon request by the Using Agency, itemized records indicating the dates that services were provided, a detailed description of the work performed on each such date, and the amount of time spent performing work on each such date.

(b) *Expenses.* Contracts for services shall also require Contractors to submit documentation of the types and amounts of expenses incurred related to the work performed if the Contractor ~~uses County funds to pay for any such expenses or seeks reimbursement for any such expenses incurred.~~

(c) *Invoice Documentation.* All Contracts for services, regardless of compensation structure, shall contain a provision requiring the Contractor to submit itemized records indicating the dates or time period in which the services being invoiced were provided, a detailed description of the work performed for the time period being invoiced and the amount of time spent performing work for the time period in question. In addition, all Contracts for services that are procured as Sole Source must also contain a provision requiring the Contractor to submit itemized records indicating the dates that services were

provided, a detailed description of the work performed on each such date, and the amount of time spent performing work on each such date.

(ed) *Payment.* All Contracts for services shall further require that the itemized work and expense records required in 34-310 (b) and (c) be submitted to the Using Agency with the Contractor's invoice as a condition of payment for any services rendered.

Sec. 34-311. No payment prior to submission of invoice.

The Comptroller shall not issue a payment to any Contractor providing services who has not submitted the requisite invoice with work and expense records unless the Contractor has been approved for advance payment by the CPO per the Contract. The Comptroller shall not issue an advance payment to any Contractor providing services unless the invoice includes written authorization from the Using Agency documenting the contractual basis for the advance payment. Contractors approved for advance payment shall be required to submit invoices providing work and expense records as described above in Section 34-310 on at least a monthly basis.

Effective date. This Ordinance shall in effect thirty (30) days after adoption.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED SECOND SUBSTITUTE ORDINANCE (COMMUNICATION NO. 313644), AS AMENDED. THE MOTION CARRIED.

**11-O-85
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND JOHN P. DALEY,
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES,
TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,
LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

PREAMBLE

WHEREAS, the Chief Procurement Officer (the “CPO”) is charged with the responsibility to Procure and contract for all services, supplies, materials and equipment, required by any office, department, institution or agency of the County government;

WHEREAS, one goal of the CPO is to serve the citizens of Cook County by obtaining quality goods and services at the lowest cost while operating the highest standards of ethical conduct;

WHEREAS, the CPO seeks to ensure the timely and efficient procurement of supplies, materials, equipment and services;

WHEREAS, the CPO seeks to employ a transparent procurement process in which authority, responsibility and accountability are clearly delineated; and

WHEREAS, a clear and consistent procurement code is essential to achieve the goals of transparency, fairness, efficiency, accountability and economy;

NOW, THEREFORE, BE IT ORDAINED THAT Chapter 34, Article IV of the Cook County Code, is hereby repealed and Chapter 34, Article IV, Procurement Code is hereby enacted as follows:

DIVISION 1. GENERAL PROVISIONS

Sec. 34-120. Short title.

Chapter 34, Article IV of this Code shall be known and may be cited as the Cook County Procurement Code.

Sec. 34-121. Definitions.

Unless defined elsewhere in this Procurement Code or in Chapter 1, Section 1-3 of the County Code, capitalized terms used in this Procurement Code shall have the meanings set forth below.

Affiliate. An "Affiliate" of, or a Person "Affiliated" with, a specified Person shall mean any Person that directly or indirectly through one or more intermediaries, Controls, is Controlled by, or is under common Control with, the Person specified.

Assessor means the Assessor of Cook County.

Auditing Services means the formal examination of accounting records or financial statements for compliance with financial accounting standards applicable to governmental entities, which functions are generally exclusively performed or supervised by Persons licensed and authorized to do business as public accountants in the State. The term "Auditing Services" shall also include any independent reports and management recommendations derived or resulting from the performance of auditing services and which reports and recommendations are included within the scope of the Contract for Auditing Services.

Bid means a response to a Bid Notice containing all Bid Documents and any other documents or information the Bidder is required to provide.

Bid Documents means the documents, specifications, forms and other information necessary required for a Bid.

Bid Notice means the notice from the CPO regarding a Procurement which shall include: a general description of the Procurement; information necessary to obtain the Bid Documents; and the date, time and place for both the submission of Bids and the opening of the Bids.

Bid Price means the dollar amount set forth in a Bid.

Bidder means any Person who submits a Bid.

Chief Financial Officer or "CFO" means the Chief Financial Officer of Cook County.

Chief Procurement Officer or "CPO" means the Chief Procurement Officer of Cook County. References in this Procurement Code to actions required to be taken by the CPO shall be deemed to include designees or staff of the CPO.

Consulting Services means the rendering of analysis and advice requiring specialized expertise in a particular subject area or field. Such expertise may have been gained by education or experience in the area or field. The term "Consulting Services" expressly excludes auditing services.

Contract shall include any written document to make Procurements by or on behalf of Cook County.

Contract Compliance Director or *CCD* means the County Contract Compliance Director.

Contractor means the Person that enters into a Contract with the County.

Control. The term "Control", "is Controlled by", or is "under common Control with" shall mean a Person that has the power to directly or indirectly affect the management or the policies of the other through ownership of voting securities or voting rights, by contract or otherwise

Court Ordered Child Support Arrearage means that the Circuit Court of Cook County has issued an order declaring the respondent in arrearage on child support obligations in a specific amount as of the date of that order, or that another Illinois or non Illinois court of competent jurisdiction has issued such an order.

Covered Services means janitorial cleaning services, window cleaning services, elevator operator and starter services, and security services.

Elected Official means the President and Commissioners of the Cook County Board, Assessor, Board of Review, Chief Judge, Clerk of the Circuit Court, County Clerk, Recorder of Deeds, Sheriff, State's Attorney, Treasurer, and any other elected official included in the Cook County Appropriations Ordinance.

Employee means any individual working on a full-time basis, and providing services, for an Employer under a Contract. "Employees" shall not include workers required to be paid the prevailing wage pursuant to Section 34-161.

Employer means any Person that employs one or more full-time Employees.

Execution means to sign a Contract, after it has been approved by the CPO or the Board, as required by this Procurement Code.

Joint Venture means an association of two or more Persons proposing to perform a for profit business enterprise. Joint Ventures must have an agreement in writing specifying the terms and conditions of the relationship between the partners and their relationship and respective responsibility for the Contract.

Living Wage means those amounts established from time to time by the CFO, and posted on the CPO's website pursuant to Section 34-160.

Local business means a Person, including a foreign corporation authorized to transact business in Illinois, having a bona fide establishment located within the County at which it is transacting business on the date when a Bid is submitted to the County, and which employs the majority of its regular, full-time work force within the County. A Joint Venture shall constitute a Local Business if one or more Persons

that qualify as a “Local Business” hold interests totaling over 50% in the Joint Venture, even if the Joint Venture does not, at the time of the Bid submittal, have such a bona fide establishment within the County.

Not-for-Profit Organization means an entity having tax exempt status under the United States Internal Revenue Code.

Person or Persons means any individual, corporation, partnership, Joint Venture, trust, association, limited liability company, sole proprietorship or other legal entity.

Procurement. The term “Procurement”, “Procurements” or “Procuring” means obtaining supplies, equipment, goods, or services of any kind.

Procurement Code means Chapter 34, Article IV.

Proposal means a response to an RFP.

Proposer means a Person submitting a Proposal.

Public Works means all fixed works constructed or demolished by the County, or paid for wholly or in part out of public funds administered by the County. "Public Works" as defined herein includes all projects financed in whole or in part with bonds, grants, loans, or other funds made available by or through federal or State government, or the County. "Public Works" does not include projects undertaken by the owner at an owner-occupied single-family residence or at an owner-occupied unit of a multi-family residence. “Public Works” includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

Response means response to an RFQ.

Respondent. The term “Respondent” means a Person responding to an RFQ.

Responsible means a Person that has the capability in all respects to perform fully a Contract or to provide the required supplies, equipment, goods or services to the County, and the integrity and reliability that will assure good faith performance. Factors taken into consideration in determining whether a Person is Responsible may include quality, financial capacity, past performance, experience, adequacy of staff, equipment, and the ability to perform within the time frame required for the Procurement.

Responsive means a Bid, a Response or a Proposal is in compliance in all material respects with all the terms, conditions and requirements set forth in the Bid Documents, RFP, RFQ, request for quotations or other terms required for a Procurement, including but not limited to completion and timely submittal of all required affidavits, statements, certifications, bid deposits, insurance, performance and payment bonds and other County requirements.

RFP means a Request for Proposals issued pursuant to this Procurement Code.

RFQ means a Request for Qualifications issued to obtain the qualifications of interested parties.

Using Agency means the departments or agencies within Cook County government, including Elected Officials.

Wage. The term “Wage” means compensation due to an Employee by reason of employment, including allowances for gratuities and for meals and lodging that are furnished by the Employer and actually used by the Employee.

Sec. 34-122. Procurements and contracts.

All Procurements for or by any Using Agency of Cook County, regardless of the source of the funds used to pay for such Procurement, shall be made by the CPO, and in accordance with this Procurement Code and the procedures promulgated pursuant hereto. All Contracts shall be in a form determined by the CPO. Contracts shall be approved and executed as set forth in the procedures promulgated pursuant to and in this Procurement Code. Notwithstanding, the above provision or any other provision in this Procurement Code, the Board of Directors of the Cook County Health and Hospitals System (“System Board”) shall have the authority over Procurements and Contracts for the Cook County Health and Hospitals System as provided in the ordinance establishing the CCHHS. The System Board shall adopt written rules, regulations and procedures in accordance and consistent with this Procurement Code and provisions set forth herein.

Sec. 34-123. No power to act for procurements or expenditures of \$150,000.00 or more.

The CPO shall have the authority to approve Procurements and execute Contracts in an amount less than \$150,000.00 without Board approval; provided, however, that, Board approval shall be required for any Procurement of the same or similar supplies, goods, equipment or services, which would result in the aggregate amount of such Procurements from the same vendor by the same Using Agency equaling or exceeding \$150,000.00 in any fiscal year. The “amount” of a Contract shall mean the maximum amount payable under such Contract.

No Person has the power or authority to approve, authorize or execute a Procurement, a Contract, or the expenditure of public money in the amount of \$150,000.00 or more without approval of the County Board, except in the following instances: the payment of public utility bills, the payment of rent pursuant to the provisions of a lease previously approved by the County Board, payment of insurance premiums, or other Board-authorized transactions. Any action in violation of this section shall be null and void.

Sec. 34-124. Chief Procurement Officer.

The President, with the consent of the Board, shall appoint a Chief Procurement Officer who shall serve as the purchasing agent for Cook County and shall be responsible for making all Procurements for all Using Agencies and for managing the County’s Procurement Process in accordance with this Procurement Code. Any individual so appointed shall have at least three years experience in an executive capacity in the purchasing office of a private or public entity with procurements reasonably comparable in size and nature to those of the County.

Sec. 34-125. Powers and duties of the Chief Procurement Officer.

The Chief Procurement Officer shall:

- (a) Make all Procurements and conduct all activities related to the Procurement Process in accordance with the Procurement Code and any procedures promulgated pursuant hereto;
- (b) Establish and maintain procurement policies and procedures, and standardized documents and forms to implement the Procurement Code;

(c) Cooperate with the Contracts Compliance Director to coordinate the procurement process with the Minority and Women Owned Business Program established pursuant to Division 8 of this Procurement Code;

(d) Develop and maintain procedures for disseminating information and notice of procurement opportunities;

(e) Have authority to implement innovative procurement methods and processes pursuant to this Procurement Code;

(f) Have authority to approve and execute an assignment of or an amendment to a Contract; provided that any such amendment does not extend the Contract by more than one (1) year, and further provided that the total cost of all such amendments does not increase the amount of the Contract beyond the authority of the CPO granted in Section 34-123, or in the case of Contracts approved by the Board, provided that the total cost of all such amendments does not increase the Contract by more than 10%;

(g) Have authority to establish the commencement and expiration dates of any Contract as necessary to permit the Contract period to commence upon the date of Execution of the Contract by the County, unless another commencement date is specified in the Contract;

(h) Within the CPO's authority, approve and execute Contracts;

(i) Ensure that all certifications, statements and affidavits required by this Procurement Code are submitted;

(j) Determine when supplies, materials and equipment are obsolete or unusable, and trade in, sell or dispose of such property, except for such property which is the responsibility of the Cook County Health and Hospitals System;

(k) Compile and maintain information for all Procurements, including those Procurements which do not require Board approval. The CPO shall submit a report to the Board on a quarterly basis listing the Procurements that do not require Board approval, including a list of each Person from whom the County makes such a Procurement and the method of Procurement applied, as well as Procurements that authorize the advance payment for services. The CPO shall work with the Comptroller to also provide a quarterly report of the individual and total aggregate amount disbursements made for Procurements that do not require Board approval.

(l) Make available on the County's website information related to all Procurements, including but not limited to a list of Contracts and a list of Contractors and subcontractors;

(m) Keep a record of any Person who has been disqualified under Division 4, Disqualification; Penalties, and shall provide such record to the Cook County Health and Hospitals System;

(n) Have authority to terminate a Contract in accordance with its terms;

(o) Issue notices of violation to enforce the provisions of this Code, as applicable, and institute enforcement proceedings under Chapter 2, Article IX, as appropriate;

(p) Work with the Comptroller to assure that Contractors are not paid in advance of performance, unless such advance payment is provided for and properly justified in the Contract; and

- (q) Have charge of such other Procurement activities as may be assigned by the President or the Board.

DIVISION 2. PROCUREMENT PROCEDURES

Sec. 34-135. Procurement methods.

All County Procurements shall be made pursuant to the appropriate procurement method set forth below and described in the applicable Section.

Sec. 34-136.	Competitive Bidding;
Sec. 34-137.	Small Procurements;
Sec. 34-138.	Requests for Qualifications or Proposals;
Sec. 34-139.	Sole Source Procurements;
Sec. 34-140.	Comparable Government Procurement;
Sec. 33-141.	Emergency Procurements;
Sec. 34-142.	Joint Procurements;
Sec. 34-143.	Consortium and Group Procurements.

Sec. 34-136. Competitive bidding.

Procurements of supplies, materials, equipment, and services shall be made by the competitive bidding process as set forth in this Section, unless such Procurements meet the criteria for another procurement method set forth in this division. The CPO shall follow the procedures set forth below for competitive bidding.

(a) *Development and approval of Bid Documents.* The Using Agency shall provide to the CPO all information required by the CPO to prepare the Bid Documents, including minimum qualifications, specifications and any special conditions.

(b) *Bid Notice.* Upon request by a Using Agency, the CPO shall publish a Bid Notice on the County's website at least (5) days before the date for the submission of Bids.

(c) *Pre-Bid conference or site inspection.* The Bid Documents shall include details of any pre-Bid conference or site inspection, including whether any such pre-Bid conference or site inspection is mandatory. The CPO shall keep a record of all Persons who request Bid Documents. The CPO will notify all Persons recorded as having requested Bid Documents of any changes with respect to such conference or inspection no later than at least 24 hours prior to the original scheduled date and no less than two (2) business days prior to any newly scheduled date for such conference or inspection.

(d) *Communications with the County regarding competitive bidding process.* From the time the Bid Notice is issued until the successful Bidder has been recommended to the Board by the CPO, all communications to the County relating to the Bid must be directed in writing (which may be electronic) only to the CPO, or as otherwise specified in the Bid Documents. Upon receipt of such a request, the CPO will determine if a response will be provided. Any such response shall be provided in an addendum to all Persons requesting the Bid Documents. Notwithstanding the foregoing, communications may be made to the Office of Contract Compliance in writing for the purpose of complying with Division 8, Minority and Women-Owned Business Enterprise Program.

(e) *No changes to Bids.* No Bid may be changed, amended or supplemented in any way after the date and time for submission of Bids.

(f) *Bid opening.* All Bids shall be opened and a record of such Bids shall be made on the date, and at the time and location as stated in the Bid Notice or as prescribed in an addendum issued by the CPO. All Bids shall be opened, and the name of the Bidder and the Bid Price shall be read publicly. If it is determined that an error was made in the public reading of the Bids, the CPO shall notify all Bidders of such error and reconvene the Bid opening to correct the record as soon as reasonably possible. If the Bids are submitted electronically, no public reading shall be required so long as a record of the Bids opened is publicly available immediately after the Bids are opened.

(g) *If only one Bid is received.* If only one Bid has been submitted, the CPO will determine whether to open the Bid or return the Bid to the Bidder via certified mail and re-issue the Bid Notice or use a different method to make the Procurement. If the Bid was submitted electronically, and is not opened, it shall be deleted from the electronic procurement system.

(h) *Evaluation of Bids.* The CPO shall review, evaluate and tabulate Responsive Bids. In determining the apparent low Bid, the CPO shall consider the Responsibility of the Bidder and all applicable preferences and incentives provided in this Procurement Code. The CPO shall then direct the Bids along with the tabulation to the Using Agency for review. Upon full review of the Bids and Bid tabulations, the Using Agency shall notify the CPO in writing of its Procurement recommendation, with justification supporting such recommendation. The CPO shall review the recommendation of the Using Agency, and shall post on the County's website the CPO's recommended Bid for award.

(i) *Bid protest.* Any Bidder who reasonably believes that the recommended Bidder is not the lowest Responsive and Responsible Bidder, or has a complaint about the bid process, may submit a bid protest, in writing, and directed to the CPO. Any bid protest must be submitted no later than three (3) business days after the date upon which the CPO posts the recommended Bid for award. The bid protest must specify why the protester believes the recommended Bidder is not the lowest Responsive and Responsible Bidder, or why the protestor believes the bid procedure was unfair, including a statement of how the alleged unfairness prejudiced the protesting Bidder and the action requested of the CPO. A bid protest based on an issue which could have been clarified through a request for clarification or information pursuant to Section 34-136 (d) *Communications with the County regarding competitive bidding process*, will not be considered if the protesting Bidder failed to make such request. When a bid protest has been submitted, no further action shall be taken on the Procurement until the CPO makes a decision. The CPO shall issue a written decision on the bid protest to the protesting Bidder and to any other Bidder affected by such decision as soon as reasonably practicable. If the bid protest is upheld based on a lack of fairness in the bid procedure, the CPO shall re-bid the Procurement. If the CPO determines that the recommended Bidder was not Responsive and Responsible, that Bidder shall be disqualified and the CPO may either recommend the lowest Responsive and Responsible Bidder or re-bid.

(j) *Board Action.* Upon resolution of any bid protests, or expiration of the three (3) day protest period with no protests, the CPO shall submit the Contract to the Board, through its Finance Committee, for approval and authorization for the CPO to Execute the Contract. Once the Contract has been approved by the Board, the CPO shall post on the CPO's website information regarding the Procurement.

(k) *Right to reject Bids.* The County shall have the right to reject any and all Bids. The CPO is authorized to exercise this right on behalf of the Board. The CPO shall include a provision in the Bid Documents reserving the right to reject any and all Bids.

(l) *Procurements Under \$150,000.00.* The competitive bidding process for procurements greater than \$5,000.00 and less than \$150,000.00 may consist of a solicitation posted on the CPO's website. The CPO shall promulgate policies and procedures to implement such Procurements. The CPO is not required to read or announce such Bids publicly. The CPO shall select the lowest Responsive Bid made by a Responsible Person, and shall post on the CPO's website information regarding the Procurement.

Sec. 34-137. Small procurements.

Procurements of the same or similar supplies, goods, equipment or services by a Using Agency in an aggregate amount from the same vendor of less than \$5,000.00 in the same fiscal year do not require a competitive method. The CPO shall promulgate policies and procedures to implement such Procurements.

Sec. 34-138. Requests for qualifications or proposals.

(a) *Criteria for use of request for qualifications or proposals.* The CPO in consultation with the Using Agency may determine that it is in the best interest of the County to make a Procurement utilizing the Request for Qualifications or Request for Proposals process. Examples of Procurements for which an RFQ or RFP process is appropriate include but are not limited to: Procurements involving services requiring a high degree of professional skill where the ability or fitness of the Person plays an important part; Procurements where the requirements are not clearly known; Procurements where quality rather than quantity is a primary factor; and Procurements where it is not in the best interest of the County to make price a primary determinative factor. An RFP process is a competitive process under this Procurement Code, and a Person selected through an RFP process is not considered a "sole source."

(b) *Content of RFQs and RFPs.* The CPO shall determine what provisions RFQs and RFPs should contain in consultation with the requesting Using Agency and will incorporate the necessary details, provisions and requirements for the RFQ or RFP. RFQs and RFPs shall include a provision stating that the County may negotiate a Procurement with one or more Respondents or Proposers.

(c) *Issuance.* The CPO shall issue an RFQ or RFP after receiving a written request from the Using Agency and approval from the Using Agency regarding the contents of the RFQ or RFP. Notice of all RFQ's and RFP's shall be posted on the CPO's website.

(d) *Opening of Responses.* The Responses or Proposals shall be opened in the presence of one or more witnesses after the designated date and time for submission. A representative of the Using Agency may be present at the opening but shall not be required to attend the opening. The names of the Respondents or Proposers shall be available to the public after the Procurement has been completed.

(e) *Evaluation and Selection for Contract Negotiation.* The CPO in coordination with the Using Agency shall develop evaluation criteria which are included in the RFQ or RFP. These criteria may include, but are not limited to experience and qualifications of the Respondent or Proposer, the quality, content and completeness of the Response or Proposal, the demonstrated willingness and ability of the Respondent or Proposer to satisfy the requirements as described in the RFQ or RFP, and, if applicable, the cost proposal. The evaluation shall be performed by a committee chaired by the CPO or a designee of the CPO with representatives of the Using Agency and other persons designated by the CPO. Respondents or Proposers shall be accorded fair treatment with regard to evaluation of their Responses or Proposals. Any or all Respondents or Proposers may be requested to make presentations and/or submit clarifications or revisions to their Responses or Proposals for the purpose of obtaining best and final Responses or Proposals. The Using Agency shall document the results of the evaluation. The contents of

the Responses or Proposals shall not be disclosed to competing Respondents or Proposers during the evaluation process or any discussions.

(f) *Contract negotiation, approval and Execution.* The Using Agency may send its recommendation to the CPO, setting forth the reasons for such recommendation, which shall be based upon the evaluation criteria. Board approval is not required to negotiate a Contract. Negotiation of a Contract's terms shall take place between the prospective Contractor(s) and representatives of the Purchasing Department and the Using Agency. After a Contract is negotiated, the CPO shall either Execute the Contract, if within the CPO's authority, or forward the Contract to the Board for approval and authorization for the CPO to execute the Contract. Such request shall include the justification for the Contract and the selection of the Contractor.

Sec. 34-139. Sole source procurements.

Procurements of supplies, equipment, goods or services may be made without use of one of the competitive processes if there is either only one source or there is a need for the unique or specialized skill, experience, or ability possessed by a particular source. The Using Agency must submit a letter to the CPO justifying the sole source Procurement, and provide any other documents or information required by the CPO.

Sec. 34-140. Comparable government procurement.

If a governmental agency has awarded a contract through a competitive method for the same or similar supplies, equipment, goods or services as that sought by the County, the Procurement may be made from that vendor at a price or rate at least as favorable as that obtained by that government agency without utilizing a competitive procurement method set forth in this Procurement Code.

Sec. 34-141. Emergency procurements.

The CPO may make Procurements and execute Contracts without use of one of the competitive processes set forth in this Procurement Code and without prior approval of the Board, when such Procurements are necessary (i) due to a threat to public health or safety, (ii) for repairs to County property in order to protect against further loss or damage, (iii) to prevent or minimize serious disruption in County services, (iv) to ensure the integrity of County records, or (v) in the reasonable opinion of the CPO, for the best interests of the County. If practicable under the circumstances, the CPO shall obtain quotations or Proposals from at least three Persons. The CPO shall report the basis for the emergency Procurement and reasons for the selection of the Contractor to the Finance Committee of the Board within five (5) business days of making an emergency Procurement.

Sec. 34-142. Joint procurements.

Procurements may be made pursuant to the Governmental Joint Purchasing Act, 30 ILCS §525.

Sec. 34-143. Consortium and group procurements.

Procurements may be made pursuant to the County's membership or participation in a purchasing consortium, provided that the Board has approved such membership or participation, for, at least in part, the purpose of obtaining advantageous pricing and other efficiencies for the County. Procurements made through a purchasing consortium shall be approved and executed as set forth in this Procurement Code.

Sec. 34-144. Innovative procurement.

(a) The CPO may make a Procurement using innovative methods of procurement, including but not limited to electronic procurement, reverse auctions, electronic bidding, electronic auctions, and pilot procurement programs that have no cost to the County. In order to implement innovative methods of procurement, either directly or through a service provider, the CPO must make a determination that such process is competitive and in the best interest of the County.

(b) As an alternative or in addition to directly conducting procurement using innovative methods, the CPO may make a Procurement of electronic procurement services for conducting reverse auctions, electronic auctions, or provide an on-line or electronic forum for competitive Bids, Requests for Qualifications and Requests for Proposals and other types of innovative methods of procurement on the County's behalf. The Contract for such Procurement may contain such terms as the CPO deems necessary, including, but not limited to, terms that specify the source and amount of the compensation. With respect to Procurements made pursuant to this section, the CPO is authorized to charge a reasonable service fee to the Contractors from which Procurements are made in order to cover part or all of the County's costs associated with such electronic procurement, including the costs of engaging a service provider. Such service fee shall be paid as directed by the CPO.

(c) The CPO shall have authority to adopt rules and regulations for the proper administration and enforcement of the provisions of this section, including the authority to modify the requirements of this Procurement Code as necessary to implement such innovative or electronic procurement method.

(d) Any document, affidavit, certification or form required by the Procurement Code or submitted in connection with any Procurement may be accepted by the CPO in electronic format subject to compliance with accepted means and methods of verification and authentication of electronic signatures.

DIVISION 3. WAGE REQUIREMENTS

Sec. 34-160. Living Wage.

(a) Unless expressly waived by the Board, any Contract requiring the use of full-time non-County Employees to provide services or labor under the Contract shall include a provision requiring that the Contractor shall pay not less than the Living Wage to such Employees, unless such Employees' Wages are governed by Federal or State law. The Contractor shall require all subcontractors to comply with this Section. This Section shall not apply to Contracts with not-for-profit organizations or Contracts funded by Federal grants or loans.

(b) If a Contractor or any of its subcontractors is found to be in violation of this Section, such Contractor be required to pay back pay to each affected Employee, and may also be fined by the County up to \$100 for each affected Employee for each day paid at less than the Living Wage. Such penalties will not be imposed on any Person except after a hearing pursuant to Chapter 2, Article IX, Administrative Hearings.

(c) If a Contractor or any of its subcontractors is found to have retaliated against an affected Employee, the Contractor may be held to be in breach of the Contract and the Contract may be terminated unless such Contractor or the subcontractor appropriately reinstates or compensates such Employee.

(d) The CPO shall require that any such Contractor certify that it will comply with this Section.

(e) Pursuant to County Code Chapter 2, Article V, Division 3, Subdivision I, Section 2-408, the CFO shall annually determine the Living Wage.

(f) The CPO shall post the current Living Wage on the CPO's website.

(g) Every Contractor and subcontractor required to pay the Living Wage shall notify its Employees of the Living Wage requirement and shall notify all of its Employees annually of any adjustment to the Living Wage. In addition, the Employer shall notify its Employees that if any Employee contends that the Employer is not paying a Living Wage or has otherwise violated this Section, that Employee may file a complaint with the Cook County Commission on Human Rights ("Commission"). If at the conclusion of the Commission's investigation, the Commission finds that the Employer has violated this Section, it shall (1) in the case of an Employer receiving a property tax incentive, notify the Assessor; or (2) in the case of a Contractor or a subcontractor required to pay the Living Wage, notify the CPO, who shall exercise such remedies as are in the best interest of the County, including ordering the Employer to pay back pay and penalties, as provided in this Section.

Sec. 34-161. Illinois Prevailing Wage.

(a) To the extent required by the Illinois Prevailing Wage Act (820 ILCS 130/0.01 *et seq*) (the "Prevailing Wage Act"), the general prevailing rate of Wages in this locality for laborers, mechanics and other workers engaged in the construction of Public Works coming under the jurisdiction of this County shall be the same as the prevailing rate of Wages for construction work in the Cook County area as determined from time to time by the Department of Labor of the State of Illinois. The definition of any terms used in this Section which are also used in the Prevailing Wage Act shall be the same as in said Act.

(b) Nothing herein contained shall be construed to apply the general prevailing rate of Wages to any work or employment except Public Works of this County and only to the extent required by the Prevailing Wage Act.

(c) The CPO shall include in the Bid Notice for any Public Works Contract, and shall include in the Bid Documents, a requirement that not less than the prevailing rate of Wages as found by the County or the Department of Labor or determined by the court on review shall be paid to all laborers, workers and mechanics performing work under such Public Works Contract.

(d) Prior to awarding any Public Works Contract, the CPO shall ascertain whether the Bidder is debarred pursuant to the Prevailing Wage Act.

Sec. 34-162. Federal Prevailing Wage.

If a Procurement will be paid for using federal funds, and if such federal funding requires compliance with the Davis-Bacon Act (40 U.S.C. 276a-276a-7), then the Contract shall contain provisions requiring that the Contractor and any subcontractors shall pay the federal prevailing Wage.

Sec. 34-163. Prevailing wages for covered services.

(a) Not less than the prevailing rate of Wages shall be paid and prevailing working conditions shall be provided to any laborer, worker and mechanic providing Covered Services under a Contract.

(b) In order to be considered a Responsive Bidder for any Contract for Covered Services, the Bidder shall certify that Wages paid to its employees will be no less, and fringe benefits and working

conditions of such employees shall be no less favorable, than those prevailing in the locality in which the Covered Services are to be performed, as determined by the Chief of the Bureau of Human Resources and posted on the website.

(c) The CPO of Cook County shall include in the Bid Notice for any Contract for Covered Services, and shall include in the specifications for any such Contract a provision that (i) not less than the prevailing rate of Wages shall be paid, and prevailing working conditions shall be provided, to all laborers, workers and mechanics performing Covered Services and (ii) all bonds required under such Contract shall include such provisions as will guarantee the faithful performance of such provision in the Contract.

DIVISION 4. DISQUALIFICATION, PENALTIES

Sec. 34-170. Disqualification due to contract default or termination.

(a) If a Person has had a Contract terminated for cause by the County, or if a Person has failed to cure a default within any cure period provided by the Contract, such Person shall be ineligible to enter into a Contract with the County for a period of twenty-four (24) months from the date of termination or notice of default.

(b) When a Contract has been terminated for cause or when an uncured default exists under a Contract, the Contractor may submit a request to the CPO for a reduction or waiver of the ineligibility period. The request shall be in writing and shall include documentation that one or more of the following actions have been taken:

- (1) There has been a bona fide change in ownership or Control of the ineligible Person;
- (2) Disciplinary action has been taken against the individual(s) responsible for the acts giving rise to the termination or default; or
- (3) Remedial action has been taken to prevent a recurrence of the acts giving rise to the termination or default.

The CPO shall review the documentation, make any inquiries deemed necessary, and determines whether a reduction or waiver is appropriate.

(c) A Using Agency may request an exception to such period of ineligibility, by submitting a written request to the CPO, supported by facts that establish that it is in the best interests of the County that the Procurement be made from such ineligible Person. The CPO shall review the documentation, make any inquiries deemed necessary, and determining whether the request should be approved. If an exception is granted, such exception shall apply to that Procurement only and the period of ineligibility shall continue for its full term as to any other Procurements.

Sec. 34-171. Disqualification for County tax or debt delinquency or obligation default.

(a) A Person that is (i) delinquent in the payment of any tax (including real estate tax) or fees administered by the County, (ii) delinquent in the payment of any debt to the County, (iii); is in default of any obligation to the County; or (iv) is a "predatory lender," as determined pursuant to the Cook County Predatory Lending Ordinance, shall be ineligible to enter into a Contract with the County. Notwithstanding the foregoing, a Person shall not be ineligible, nor shall the County exercise any rights to set-off or other remedies set forth in Section 34-196 against a Person, if such Person is contesting liability

for the delinquency in a pending administrative or judicial proceeding, or contesting the existence of a default, and shows proof of the contest; or if such Person has entered into an agreement for the payment of such delinquency and verifies compliance with the agreement.

(b) The CPO shall obtain a written certification from every Person from whom the County seeks to make a Procurement that such Person meets the requirements of subsection (a).

(c) The County shall not be prohibited from making a Procurement from, and shall not exercise rights to set-off or other remedies set forth in Section 34-196 against a Person who is contesting liability for the delinquency, in a pending administrative or judicial proceeding, or contesting the existence of a default, and shows proof of the contest; from a Person who has entered into an agreement for the payment of such delinquency and verifies compliance with the agreement.

(d) A Using Agency may request an exception to such ineligibility by submitting a written request to the CPO, supported by facts that establish that it is in the best interests of the County that the Procurement be made from such ineligible Person. The CPO shall review the documentation, make any inquiries deemed necessary, and determine whether the request should be approved.

Sec. 34-172. Disqualification for noncompliance with child support orders.

(a) A Person shall be ineligible to enter into a Contract with the County if such Person or a Substantial Owner (as defined in Article V, Section 34-367) is delinquent in the payment of a Court-Ordered Child Support Arrearage.

(b) If the County becomes aware that a Person or Substantial Owner becomes delinquent in payments under a Court-Ordered Child Support Arrearage after the County has entered into a Contract with such Person or Substantial Owner, then after notice from the County of such noncompliance and a thirty (30) day opportunity to pay such delinquency, such delinquency of such Person or Substantial Owner shall be an event of default under the Contract. Such Person or Substantial Owner shall provide sufficient evidence to the CPO of payment of such delinquency.

Sec. 34-173. Disqualification for illegal activity.

(a) *Disqualifying Acts.* A Person who has been convicted of, entered a plea of *nolo contendere* as to, or made an admission of guilt, pursuant to the laws of any Federal, State or local jurisdiction, for any of the following, shall be ineligible to enter into a Contract for a period of five years from the date of conviction, entry of a plea or admission of guilt:

- (1) Bribing or attempting to bribe;
- (2) Bid-rigging, attempting to rig bids;
- (3) Price fixing or attempting to fix prices; or
- (4) Defrauding or attempting to defraud.

(b) *Disqualification due to acts of owner, partner or shareholder.* A Person shall be ineligible to enter into a Contract if an individual who Controls such Person would be disqualified under any provision of this Section 34-173.

Sec. 34-174. Disqualification for willful violation of Cook County Independent Inspector General Ordinance.

A Person found to have willfully failed to cooperate in an investigation by the Cook County Independent Inspector General shall be subject to disqualification as provided in Article II, Section 2-291 of the Code.

Sec. 34-175. Penalty for false statements.

Any Person who knowingly makes a false statement of material fact to Cook County in writing in connection with a Procurement is liable to the County for a penalty of \$500.00, in addition to any other remedy provided for in the Procurement Code or at law or in equity, including termination of any Contract or disqualification. No fine will be imposed on any Person except after any applicable proceeding pursuant to Chapter 2, Article IX, Administrative Hearings.

Sec. 34-176. Penalties for failure to pay Cook County taxes and fees.

The CPO shall include in every Contract a provision that entitles the County to set off and subtract from the Contract price a sum equal to any fines and penalties, including interest, for each tax or fee delinquency and any debt or obligation owed by the Contractor to the County.

Sec. 34-177. Uniform penalties, interest and procedures.

The determination as to whether a Person is disqualified under any provision of this Division 4 or has made a false statement, shall be made pursuant to Chapter 2, Article IX, Administrative Hearings.

**DIVISION 5. PROCUREMENT PROCEDURES AND POLICIES
FOR CERTAIN PROCUREMENTS**

Sec. 34-190. Percentage of work of Public Works projects to be performed by County residents.

For any Public Works Contract having an estimated contract price of \$100,000.00 or more, where not otherwise prohibited by Federal or State law, at least fifty percent (50%) of the total hours worked on the site by employees of the Contractor and subcontractors shall be performed by residents of the County.

Sec. 34-191. Green construction.

For all competitive Bids for Public Works Contracts budgeted for \$2,000,000 or more, the Bid Documents shall comply with the requirements of Chapter 30, Environment, Article IX, Green Construction, Section 30-952, Emission Reduction, and any Contract resulting therefrom shall include all provisions required by Chapter 30, Article IX, Section 30-955.

Sec. 34-192. Predatory lenders.

With each Bid or Response submitted by a financial institution for any Contract, the following certification shall be signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We

understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the County.

Sec. 34-193 Contracts for Consulting and Auditing Services.

(a) The County will not enter into any Contract for Auditing Services, nor shall it consent to a subcontract for such Auditing Services, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract for consulting services for or with the County. Additionally, the County will not enter into any Contract for Consulting Services, nor shall it consent to a subcontract for such Consulting Services, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract for Auditing Services for or with the County. For purposes of this provision, "County" shall refer only to offices which are administered by the President of the County Board and shall not refer to offices which are administered by Elected Officials.

(b) The County shall not enter into any Contract for Consulting Services on behalf of an Elected Official, nor shall it consent to a subcontract for such Consulting Services on behalf of an Elected Official, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract to provide Auditing Services for the Elected Official.

(c) The CPO shall require the Contractor in each Contract for Auditing or Consulting Services for the County (as defined in this section) to provide a certification acceptable to the CPO that neither the Contractor nor any Affiliate of the Contractor has a Contract or a subcontract to provide Consulting or Auditing Services for the County which is prohibited under Subsection (a) of this section. In addition, the CPO shall require the Contractor in each Contract to provide Consulting Services for an Elected Official to provide a certification acceptable to the CPO that neither the Contractor nor any Affiliate of the Contractor has a Contract or a subcontract to provide Auditing Services for the Elected Official which is prohibited under Subsection (b) of this section.

Subdivision I. – Selection of Professional Services for Debt Transactions

Sec. 34-200. Definitions.

The following words, terms and phrases, when used in this subdivision shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Co-managers means underwriting firms responsible for participating in the underwriting and the marketing of bonds issued by the County.

Senior managers means underwriting firms responsible for assisting with the development of the financial plan and managing the underwriting and the marketing of the bonds.

Sec. 34-201. Competitive process for legal counsel and finance teams for debt transactions.

(a) The Chief Financial Officer may request that the CPO issue an RFQ at least once every three years for selection of legal counsel and finance professionals required for debt transactions.

(b) The RFQ for legal counsel shall request at least the following information: descriptive information about each firm, the experience of the attorneys within the firm having expertise in the areas of municipal finance law or Federal tax law pertaining to tax-exempt bonds; the manner in and degree to which the firm operates or is otherwise present in the County or State; the manner in and degree to which the firm is owned by minority or female attorneys; the manner in and degree to which the firm employs

minority or female attorneys and promotes or incubates the participation of minority or female attorneys in public finance initiatives; the firm's written policies regarding sexual harassment; and other special areas of expertise or strength. A "qualified" list shall be developed by the Chief Financial Officer for each type of financing.

(c) The RFQ for underwriters and other professionals shall request at least the following information, as applicable:

- (1) Experience and expertise in structuring and marketing bonds and notes, detailing experience with various types of issuances, including general obligation bonds, revenue bonds and tax anticipation notes, and including examples of similar financings on which the firm has been senior manager or co-manager.
- (2) Financial strength of the firm, particularly its capital allocated to underwriting governmental bonds.
- (3) Degree of corporate investment or "presence" in the County and State, including the location of corporate offices, brokerage offices, or back-office operations.
- (4) The manner in and degree to which the firm is owned by minorities or females; manner and degree to which the firm employs minority or female finance professionals; the manner in and degree to which the firm promotes or incubates the participation of minority or female finance professionals in public finance initiatives; and the firm's written policies regarding sexual harassment.
- (5) Other special areas of expertise or strength.

(d) A "qualified" list of underwriters and other professionals shall be developed by the Chief Financial Officer for each type of financing.

Sec. 34-202. Selection.

(a) For each debt transaction or for multiple debt transactions the Chief Financial Officer shall select three or more firms from the qualified list for each of the following, as required for the transaction: bond counsel, co-bond counsel, underwriter and co-underwriter counsel, special tax counsel, senior manager and co-manager and financial advisor. The Chief Financial Officer shall request that each of the firms under consideration submit a Proposal which shall include at least the following, as applicable: experience with the particular type of financing; a recommended strategy for identifying and targeting Procurers of the bonds experience with tax issues; knowledge of the County; the key personnel to be assigned for the engagement, including their qualifications and experience; the proposed fees for the engagement; and the manner in and degree to which female and minority professionals will provide services in connection with the transaction.

(b) The Chief Financial Officer shall recommend to the President the selection of counsel, professionals and underwriters based upon the Proposals. In making the recommendation the Chief Financial Officer shall consider a rotation to give each firm a fair opportunity to participate in County bond sales. The selection shall be made by the President, upon the recommendation of the Chief Financial Officer, and shall be submitted to the County Board for approval. The President shall report to the County Board the reasons for selection of the firm assigned the work. The Proposals shall be available for review by members of the County Board. The President shall report to the County Board the reasons for making the selections.

Sec. 34-203. Specific bond underwriter requirements.

Each Contract between the County and any bond underwriters shall include the following:

- (1) The underwriter shall use its best efforts to assure that the County meets its objectives in the fair and reasonable allocation of bond selling commissions to members of the underwriting syndicate, particularly to Cook County and minority- and women-owned firms;
- (2) The underwriter shall report the allocation of bond selling commissions and fees received by each member of the underwriting syndicate to the Chief Financial Officer within 30 days of closing of the bond issue; and
- (3) The underwriter shall comply with all limitations or disclosure requirements concerning political contributions that are or may be imposed by the Municipal Securities Regulatory Board or the Securities and Exchange Commission. Failure by the underwriter to comply with this provision shall not void the sale, but the underwriter may be subject to disqualification as set forth in Division 5.

Subdivision II. Recycled Products.

Sec. 34-215. Purpose.

This subdivision shall be known as the "Cook County Recycled Product Procurement Policy."

Its purpose is to promote market development of recycled products, recyclable products, and equipment capable of using such materials by establishing preferential purchasing programs applicable to all Using Agencies and Contractors, thereby diverting materials from the solid waste stream.

Sec. 34-216. Policies.

(a) All Using Agencies shall whenever practicable use recycled products, recyclable products and reusable products to meet their demands.

(b) Using Agencies and the CPO shall, whenever practicable, specify in the Contract Documents the use of recycled products and recyclable products.

(c) In procuring designated products pursuant to this division, the CPO shall require recovered material and/or post-consumer material content to be factors in determining the lowest Responsive Bid in any competitive bidding procurement process.

Sec. 34-217. Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chlorine-free paper or *paper products* means recycled paper in which the virgin content is unbleached or bleached without chlorine or chlorine derivatives, or virgin paper which is unbleached or processed with a sequence that includes no chlorine or chlorine derivatives.

Designated products means all products that have been or may be identified pursuant to Section 34-218 as products that can be procured with significant levels of recovered materials.

Minimum content standards means standards set by the County Board, or in its absence, standards or guidelines currently promulgated by the United States Environmental Protection Agency, specifying the minimum level of recovered materials and/or post-consumer material necessary for designated products to qualify as recycled products.

Paper and paper products means all items manufactured from paper or paperboard.

Post-consumer material means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from the solid waste stream for the purposes of collection, recycling, and disposition.

Post-consumer paper material means paper, paperboard, and fibrous waste including corrugated boxes, newspapers, magazines, mixed waste paper, tabulating cards and used cordage after the point at which they have passed through their end use as consumer items.

Practicable means:

- (1) Able to perform in accordance with applicable specifications;
- (2) Offered as the low Bid under the procedures in Section 34-219(b), herein;
- (3) Available within a reasonable period of time; and
- (4) Maintaining a satisfactory level of competition.

Recovered material means material and byproducts which have been recovered or diverted from solid waste, but does not include those materials and byproducts generated from, and commonly reused within, an original manufacturing process (such as mill broke or home scrap).

Recovered paper material means paper waste generated after the completion of a paper making process, such as post-consumer material, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. Recovered paper material, however, shall not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extractive or woodcutting processes, or forest residue such as bark.

Recyclable means that the product is technically capable of being recycled, and that economic markets for collecting and recycling the product exist within a reasonable distance, including steel and plastic.

Recycle or *recycling* means any process by which materials that would otherwise become municipal waste are collected, separated or processed and returned to the economic mainstream in the form of new, reused or reconstituted products, but does not include the recovery of materials for fuel in combustion or energy production processes. For lubricating oil, the term recycling is to be synonymous with re-refining. For toner cartridges, the term recycling is to be synonymous with re-manufacture.

Recycled designated product means a product designated in or pursuant to Section 34-218 that meets or surpasses the County's minimum content standards, and all other criteria for qualification as specified in this division.

Reusable product means a product that can be used several times for an intended end use before being discarded, such as a washable food or beverage container or a refillable ball point pen.

Sec. 34-218. Designated products and recycled designated products.

For all purposes of this subdivision, the products listed in this section or added pursuant to it are designated as products that can be readily procured with significant levels of recovered materials. Designated products shall qualify as recycled designated products if they meet minimum content standards established in this subdivision. Designated products shall include:

- (1) Paper and paper products.
- (2) Compost products.
- (3) Horticultural mulch made with recycled land clearing and other wood debris.
- (4) Construction aggregates made with recycled cement concrete, tire rubber, glass or asphalt.
- (5) Cement and asphalt concrete containing glass cullet, recycled fiber or plastic, or tire rubber.
- (6) Antifreeze.
- (7) Recycled plastic products, including lumber shapes, refuse carts, traffic cones, insulation, receptacle liners and recycling bins, traffic barriers and office products.
- (8) Retreaded tires and products made from recycled tire rubber, including rubber mats and playfield surfaces.
- (9) Toner cartridges for computer printers.
- (10) Lubricating oil and hydraulic oil with re-refined oil content.
- (11) Insulation products.
- (12) Paint.
- (13) Wood products containing 50 percent or more reused or deconstructed wood.
- (14) Carpeting made from recycled fibers.
- (15) Office furniture.
- (16) All steel products.
- (17) Other products as designated by the CPO.

Sec. 34-219. Requirements for procurements.

(a) Bid Notices and requests for Quotations for the procurement of tangible supplies, equipment, or goods shall contain no terms, requirements or specifications prohibiting or discouraging post-consumer or recovered material content, unless a Using Agency provides the CPO with satisfactory evidence that, for technical reasons and for a particular end use, a product containing such materials will not meet reasonable performance standards.

(b) In determining the lowest Responsive and Responsible Bid for the Procurement of designated products, the CPO shall use the procedures and evaluation criteria specified in this subdivision. If the lowest price offered for a recycled designated product is not more than the specified percentage higher than the lowest offered price for that same designated product that is not recycled, the offered price for the recycled designated product shall be considered the low Bid if such Bidder is otherwise Responsive and Responsible. The specified percentage will not be less than ten percent. However, nothing contained in this division shall preclude Using Agencies from requiring post-consumer or recovered material content as a bid specification.

(c) Each Contractor supplying the County with recycled designated products shall provide acceptable certification from all product manufacturers that the products being supplied meet or surpass County minimum content standards, and shall agree to reasonable verification procedures specified by the CPO.

(d) Bid Notices for designated products, whether recycled or not, shall require the successful Bidder to provide quarterly summaries of the quantities Procured by Using Agencies, unless the CPO determines that this requirement would significantly reduce the number of Bids received by Cook County.

(e) The County shall not Procure any item whose original manufacturer places restrictions on the remanufacturing of such item by other businesses.

Sec. 34-220. Procurement of paper and printing services.

(a) The County recycled paper procurement goal for Using Agencies (expressed as percentage of the total volume of paper Procured) shall be 60 percent. Each department shall be responsible for making its best effort to meet or surpass these goals.

(b) All paper Procured by the County shall be recycled paper, and all printed materials Procured by the County shall be on recycled paper, containing at least 30 percent post-consumer content, unless use of such recycled paper is not practicable. For all other paper products, the CPO shall adopt minimum content standards for recycled paper products which shall, at minimum, be consistent with standards presently promulgated by the United States Environmental Protection Agency.

(c) Printing services provided by the County or Procured by the County from an outside vendor shall utilize soy or other vegetable-based inks. If lithographic ink is used in printing performed by the County or in printing services Procured by the County from an outside vendor, the ink shall contain not less than the following percentages of vegetable oil:

- (1) News ink, 40 percent;
- (2) Sheet-fed and forms ink, 20 percent;

- (3) Heat-set ink, ten percent.

High quality color process printing on high speed heat-set presses is excepted when slow drying time significantly increases production costs.

(d) Departments shall publicize the County's use of recycled paper by printing the words "Printed on Recycled Paper" on all letterhead paper and on the title page of all reports printed on recycled paper.

(e) To reduce the volume of paper Procured, departments shall use both sides of paper sheets whenever practicable. If possible, copies shall be made by photo-copying from one computer-generated original, such that two-sided copies can be produced, rather than printing multiple one-sided originals.

(f) The CPO may enter into joint purchasing with other local and State agencies to reduce the cost of recycled paper product Procurements.

(g) All Bids for new equipment and services shall include language that will encourage the use of recycled paper and paper products, wherever practicable.

(h) Contracts shall contain provisions requiring all reports submitted by the Contractor shall use recycled paper, except where the specialized nature of certain materials (such as photographs) requires otherwise, and shall be printed two-sided unless two-sided printing is not practicable.

Sec. 34-221. Responsibilities and reporting requirements CPO.

The CPO is responsible for:

- (1) Revising or amending standard Bid Documents and contract language where necessary to implement this division.
- (2) Working with Using Agencies and the Department of Environmental Control, adopt and update minimum content standards or other specifications for designated recycled products.

Sec. 34-222. Exemptions.

Nothing in this division shall be construed as requiring a department or contractor to procure products that do not perform adequately for their intended end use or are not available at a reasonable price in a reasonable period of time.

DIVISION 6. BID INCENTIVES AND PREFERENCES

Sec. 34-230. Local business preference.

The CPO shall recommend award of the Procurement to the lowest Responsible and Responsive Bidder which is a Local Business, so long as the Bid of such Bidder does not exceed the Bid of the lowest Responsive and Responsible Bidder by more than 2%.

Sec. 34-231. Re-Entry Employment Bid Incentive Established; purpose.

There is hereby established the Cook County Re-entry Employment Bid Incentive Ordinance, with the goal of working in conjunction with the Cook County Re-entry Employment Project to assist adults who are residents of the County and who are former offenders, in finding employment opportunities. This Ordinance is intended to increase public safety and reduce recidivism. For all Public Works Contracts with an estimated Bid Price of \$100,000.00 or more, advertised after the effective date of this Ordinance, the CPO shall include the Bid Incentive provision in all such advertisements.

Sec. 34-232. Definitions.

For purposes of this division only, the following definitions apply:

Committee means Cook County Re-entry Employment Committee.

Earned Credit means the amount allocated to a Contractor upon completion of a Qualifying Contract through which the Contractor met or exceeded the goals for the utilization of Former Offenders.

Former Offenders means adults who are residents of the County and who have been convicted of a crime.

Labor hours means the total hours of workers receiving an hourly Wage who are directly employed at the work site. "Labor hours" shall include hours performed by workers employed by the contractor and all subcontractors working at the work site. "Labor hours" shall not include hours worked by nonworking foremen, superintendents, owners and workers who are not subject to prevailing Wage requirements.

Qualifying Contract means a Contract for Public Works with a Bid Price in excess of \$100,000, for which the Contractor is eligible for Earned Credits.

Sec. 34-233. Re-entry employment committee.

(a) The Committee will consist of:

- (1) A representative of the Cook County Bureau of Human Resources;
- (2) A representative of the President's Office of Employment Training;
- (3) A representative of the Office of Contract Compliance;
- (4) A representative of a nonprofit organization whose mission is to reintegrate former Offenders into society;
- (5) Two representatives appointed by the President, one of whom shall be a representative of organized labor, and one of whom shall be a Commissioner.

(b) The Committee shall work with appropriate organizations to identify Former Offenders for participation in this program.

Sec. 34-234. Employment plan.

A Contractor may qualify for Earned Credits by utilizing Former Offenders for work under a Qualifying Contract. In order to so qualify, a Bidder must include in its Bid for such Qualifying Contract

an employment plan for Former Offenders by Contractor or any subcontractors. Bidders may request from the Committee a list of candidates. If the Bidder or any subcontractor employs Former Offenders or identifies potential candidates on its own, such candidates may be submitted to the Committee to determine if they are Former Offenders, as defined in this division.

Sec. 34-235. Earned credits.

(a) Upon the completion of a Qualifying Contract, a Contractor may apply to the CPO for Earned Credits, on such forms and including such information as required by the CPO. If the Contractor met or exceeded the Former Offender employment goals established in the Qualifying Contract. If the CPO determines that the Contractor has successfully met or exceeded its employment plan in the Qualifying Contract, the CPO shall issue an Earned Credit Certificate that evidences the amount of Earned Credits calculated as set forth below. The Contractor may utilize the Earned Credits as set forth in this division in a future Bid for a Contract for Public Works of equal or greater value as the Qualifying Contract, by including a copy of the Earned Credit Certificate with its Bid.

(b) For any Qualifying Contract, the CPO shall determine the Earned Credits, as follows. And issue an Earned Credit Certificate, which shall be valid for three years from the date of issuance.

<i>Percentage of Total Labor Hours Performed by Former Offenders</i>	<i>Earned Credit</i>
5—10 %	1/2% of Bid price
Over 10%	1 % of Bid price

(c) For purposes of calculating the lowest Responsive and Responsible Bidder only, the CPO shall deduct from the Bid Price the amount of Earned Credit set forth on the Earned Credit Certificate submitted by a Bidder. If the Bidder is awarded the Contract, such Earned Credit Certificate may not be used again in a future Bid.

Sec. 34-236. Contractor's records.

A Contractor shall retain all records supporting any Certificate of Earned Credits issued to such Contractor for a period of at least three years after issuance of such Certificate. A Contractor shall impose this requirement by contract with any subcontractors included in the employment plan. The Office of the CPO shall have access to the Contractor's and such subcontractors' records.

Sec. 34-237. Veterans Preference, definitions.

It is the policy of the County to provide an incentive for Contractors for Public Works Contracts when such Contractors utilize veterans for at least five percent (5%) of the hours worked under such Contract, as hereinafter set forth. For purposes of this Division, "*Eligible Veterans*" shall mean persons (a) who have been either members of the armed forces of the United States or while citizens of the United States, have been members of the armed forces of allies of the United States, (b) were members of such armed forces in time of hostilities occurring after September 11, 2001 , and (c) have served (i) a total of at least six months; or (ii) for the duration of hostilities regardless of the length of engagement; or (iii) in the theater of operations for less than six months but was discharged on the basis of a hardship; or the veteran was released from active duty because of a service-connected disability and was honorably discharged. The preference provided for in this Section will be 1%. The CPO shall develop procedures for implementation of this Section. This Section shall take effect six months after the date of adoption.

Sec. 34-238. Qualified Veteran-Owned Business incentive.

(a) *Qualified Veteran-Owned Business* means a business entity that is 51 percent or more owned by one or more Eligible Veterans as defined in Section 34-237.

(b) The CPO shall give a preference of five percent of the amount of the Contract to a Responsible and Responsive Qualified Veteran-Owned Business. The CPO shall develop procedures for implementation of this Section 34-238(b). This section shall take effect six months after adoption.

(c) It is the goal of the County to award each year not less than five percent of its total expenditures for supplies, materials, equipment and services to Qualified Veteran-Owned Businesses. The Contract Compliance Director may count toward its five percent yearly goal that portion of all Contracts in which the Contractor subcontracts with a Qualified Veteran-Owned Business. Each year, the CCD shall report to the County Board on all of the following for the immediately preceding 12-month period:

- (1) The number of Qualified Veteran-Owned Businesses who submitted a Bid.
- (2) The number of Qualified Veteran-Owned Businesses who entered into Contracts and the total value of those Contracts.
- (3) Whether the County achieved the goal described in this subsection.
- (4) Each year, the CCD shall review the five percent goal with input from countywide veterans' service organizations and from the business community including Qualified Veteran-Owned Businesses, and shall make recommendations to the County Board regarding continuation, increases, or decreases in the percentage goal. The recommendations shall be based upon the number of Qualified Veteran-Owned Business and on the continued need to encourage and promote businesses owned by qualified veterans.
- (5) The provisions of this Division 6, Section 34-238(c) shall be effective as of July 1, 2013. The Contract Compliance Director shall by such date develop procedures for determining the availability of eligible veteran-owned businesses and shall report back to the County Board on the appropriateness of the five percent goal, based on such availability.

Sec. 34-239. Qualified service-disabled veteran businesses incentive.

(a) *Definitions.* For the purposes of this section the following terms are defined below:

Service-Disabled Veteran means an Eligible Veteran who became disabled in the line of duty while serving the United States Armed Forces, and who received an other than dishonorable discharge;

Service-Disabled Veteran Business means a Small Business (as defined in Division 8):

- (1) Not less than 51 percent of which is owned by one or more Service-Disabled Veterans; and
- (2) The management and daily business operations of which are controlled by one or more Service-Disabled Veterans or, in the case of an Eligible Veteran with permanent and severe disability, the spouse of such veteran.

(b) In addition to the goals established pursuant to Section 34-238, it is the goal of the County to award each year not less than three percent of its total expenditures for supplies, materials, equipment and services to qualified Service-Disabled Veteran-owned Businesses.

(c) The CPO will make best efforts to recruit and solicit bids and make procurements from qualified Service-Disabled Veteran-owned Businesses.

(d) The above-stated goal shall not be treated as a quota nor shall it be used to discriminate against any person or business enterprise on the basis of race, color, national origin, religion or sex.

(e) The provisions of this Division 6, Section 34-239 shall be effective as of July 1, 2013. The Contract Compliance Director shall by such date develop procedures for determining the availability of Service-Disabled Veteran-owned businesses and shall report back to the County Board on the appropriateness of the three percent goal, based on such availability.

DIVISION 7. INTEGRITY IN THE PROCUREMENT PROCESS

Sec. 34-250. Reporting irregularities.

The Board encourages any Person, including employees, to report any suspected or known irregularities in the County's procurement process to the County Compliance Officer of the Office of the Cook County Inspector General. In addition to any applicable laws protecting whistleblowers, the County shall ensure that a report made in good faith will not result in any adverse action taken by the Board or the County against the Person making such a report. The CPO's procedures will include a mechanism to publish this provision to all appropriate Persons.

Sec. 34-251. Communications.

For all Procurements, the CPO shall establish procedures to ensure that communications from individuals outside the County regarding a Procurement shall be memorialized and maintained in the procurement file. Communications about a Procurement from or on behalf of an Elected Official or a Using Agency shall also be memorialized and maintained in the Procurement file.

DIVISION 8. MINORITY AND WOMAN-OWNED BUSINESS ENTERPRISES

Subdivision I. General Provisions

Sec. 34-260. Short title.

This subdivision shall be known and may be cited as the Cook County Minority- and Women-Owned Business Enterprise General Ordinance. This subdivision is applicable to all Contracts, including Public Works Contracts other than as modified pursuant to subdivision 2 of this Division 8.

Sec. 34-261. Findings.

(a) The County has heretofore adopted a Minority Business Enterprise Ordinance to ensure that minority and women's businesses are provided full and equal opportunity to participate in Contracts.

(b) The Supreme Court of the United States in *City of Richmond v. Croson*, 488 U.S. 469 (1989), has enunciated certain standards which are necessary to maintain effective affirmative action programs in compliance with constitutional requirements.

(c) The County is committed to implementing its affirmative action program in conformance with the United States Supreme Court's decision in *City of Richmond v. Croson*.

(d) In furtherance of this commitment, and at the direction of the Board, County staff and consultants conducted an investigation into the scope of any discrimination in County Procurements, and in the award of and participation in contracts in the metropolitan Chicago economy, the extent to which such discrimination or the effects thereof has denied and continues to deny minority and women's business enterprises equal opportunity to participate in Procurements and to recommend the appropriate affirmative action steps to be taken to eliminate any such discrimination and its continuing effects.

(e) Minority and women's businesses continue to be awarded prime contracts and subcontracts in dollar amounts that are disproportionately lower than the availability of such businesses willing and able to perform Contracts.

(f) The County's procurement practices in the past have contributed to the above identified underutilization of minority and women's businesses on Contracts.

(g) Minority and women's businesses continue to be disadvantaged by discriminatory practices in the local construction industry and economy when competing for Contracts and in seeking subcontracting opportunities on such Contracts.

(h) The County was a passive participant in the discriminatory practices of businesses which discriminate against minority and women's businesses by entering into contracts with such businesses.

(i) Despite its good faith efforts and implementation of previous affirmative action programs, minority and women's businesses remain at a competitive disadvantage in competing for Contracts and subcontracts.

(j) Race and gender neutral measures or affirmative action programs without numerical goals have not and are not likely to eliminate the competitive disadvantage of minority and women's businesses in participating in Contracts due to discrimination in the local economy.

(k) The numerical goals for the participation of minority and women's businesses in Contracts are commensurate with the availability of minority and women's businesses willing and able to perform County work.

Sec. 34-262 Policy and purpose.

Based on the foregoing findings, the policy and purpose of this division are as follows:

(a) It is the public policy of the County to strive to achieve the full and equitable participation of minority and female owned businesses in the County's procurement process as both prime and subcontractors.

(b) The County is committed to a policy of preventing discrimination in making Procurements, and eliminating arbitrary barriers to participation in Procurements by all persons, regardless of race, sex, or ethnicity.

(c) The purpose of this division is to establish and implement goals for participation of PCEs in Procurements, in compliance with all applicable laws.

Sec. 34-263. Definitions.

The following words, terms and phrases, when used in this division, including both subdivision I and subdivision II, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Capitalized terms not defined in this section are defined in Division 1 of this Procurement Code, or in Section 1-3 of the County Code. Additional terms applicable to subdivision II are set forth in such subdivision.

Broker means a Person who or which neither manufactures the supplies, equipment or goods supplied or owns or operates a store, warehouse or other establishment (and related distribution equipment) in which it maintains, consistent with industry standards, an inventory of the supplies, equipment or goods, materials or supplies required for performance of the Contract for sale in the normal course of business.

Certified or *Certification* means registration of the Minority Business Enterprises or Women's Business Enterprise status of a business in the County's Directory of Minority Business Enterprises, Women's Business Enterprises and Disadvantaged Business Enterprises ("PCE Directory").

Commercially Useful Function shall have the meaning set forth in subsection 34-383.

Contract means, for purposes of this Division 8, any Procurement or Contract (as defined in Section 34-121 in an amount exceeding \$25,000.00.

Contract Specific Goals means the goals established under Section 34-267 that are based upon relevant factors, including but not limited to the availability of MBEs or WBEs in the scopes of work of the Project.

County Marketplace means the Metropolitan Statistical Area for Chicago, as established by the Bureau of the Census, currently the counties of Cook, DuPage, Kane, Lake, Kendall and Will.

Economically Disadvantaged means an individual with a Personal Net Worth less than \$2,000,000 indexed annually for the Chicago Metro Area Consumer Price Index, published by the U.S. Department of Labor, Bureau of Labor Standards, beginning January 2011.

Expertise means demonstrated skills, knowledge or ability to perform, as defined by normal industry practices, including licensure where required, in a field.

Good Faith Efforts shall have the meaning set forth in Section 34-271.

Joint Venture means an association formed by two or more Persons to carry out a single business enterprise, for which purpose they combine their expertise, property, capital, efforts, and skills.

Manufacturer means a Person that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required for a Procurement and of the general character described by the specifications.

Minority Business Enterprise or *MBE* mean a Local Small Business, including a sole proprietorship, partnership, corporation, limited liability company, Joint Venture or any other business or professional entity:

- (1) Which is at least 51 percent owned by one or more Minority Individuals, or in the case of a publicly owned business, at least 51 percent of all classes of the stock of which is owned by one or more Minority Individuals;
- (2) Whose management, policies, major decisions and daily business operations are independently managed and Controlled by one or more such more Minority Individuals; and
- (3) Which has its principal place of business and a majority of its regular, full time workforce located within the County's Marketplace.

Minority Individual means an individual in one of the following groups:

- (1) African-Americans or Blacks, which includes persons having origins in any of the Black racial groups of Africa;
- (2) Hispanic-Americans, which includes persons of Mexican, Puerto Rican, Cuban, Caribbean, Dominican, Central or South American, regardless of race;
- (3) Native-Americans, which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians; or
- (4) Asian-Americans (persons whose origins are in any of the original peoples of the Far East, Southeast Asia, the islands of the Pacific or the Northern Marianas, or the Indian Subcontinent); or
- (5) Other groups, including but not limited to Arab-Americans, found by the County to be socially disadvantaged by having suffered racial or ethnic prejudice or cultural bias within American society, without regard to individual qualities, resulting in decreased opportunities to compete in the County's Marketplace.

Owned means having all the customary incidents of ownership, including the right of disposition, and the sharing in all risks and profits commensurate with the degree of ownership interest.

Personal Net Worth means the net value of the assets of an individual after total liabilities are deducted. An individual's personal net worth does not include the individual's ownership interest in an applicant or other Certified MBE or WBE, provided that the other Person is certified by a governmental agency that meets the County's eligibility criteria or the individual's equity in his or her primary place or residence. As to assets held jointly with a spouse, an individual's Personal Net Worth includes only that individual's share of such assets. An individual's Personal Net Worth also includes the present value of the individual's interest in any vested pension plans, individual retirement accounts, or other retirement savings or investment programs less the tax and interest penalties that would be imposed if the asset were distributed at the present time.

Program means the Minority and Women Owned Businesses Enterprise Program established in this division, and shall include the Public Works Participation Program

Program Goals means the goals set forth in Section 34-267.

Protected Class Enterprise or *PCE* shall mean those Persons qualifying under the definitions of *Minority Business Enterprise* and *Women's Business Enterprise* contained in this section.

Public Works Participation Program means the program established pursuant subdivision II.

Regular Dealer means a Person that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character required for the Procurement are bought, kept in stock, and regularly sold or leased in the usual course of business. To be a Regular Dealer, the Person must be an established business that engages, as its principal business and under its own name, in the Procurement and sale or lease of the products in question. A Person may be a Regular Dealer in such bulk items as petroleum products, steel, cement, gravel, stone, or asphalt without owning, operating, or maintaining a place of business if the Person both owns and operates distribution equipment for the products. Any supplementing of such Person's distribution equipment shall be by a long-term lease agreement and not on an ad hoc or contract-by-contract basis. Packagers, manufacturer representatives, or other Persons who arrange or expedite transactions are not Regular Dealers.

Small Business means a small business as defined by the U.S. Small Business Administration, pursuant to the business size standards found in 13 CFR Part 121, relevant to the scope(s) of work the Person seeks to perform on Contracts. A Person is not an eligible small business enterprise in any calendar fiscal year in which its gross receipts, averaged over the Person's previous five fiscal years, exceed the size standards of 13 CFR Part 121.

Socially Disadvantaged means an individual who has been subjected to racial, ethnic or gender prejudice or cultural bias within American society because of his or her identity as a member of a group and without regard to individual qualities. Social disadvantage must stem from circumstances beyond the individual's control. A Socially Disadvantaged individual must be a citizen or lawfully admitted permanent resident of the United States.

Utilization Plan means a plan for utilization of PCEs described in Section 34-383.

Woman means a person of the female gender.

Woman-Owned Business Enterprise or *WBE* means a Local Small Business, including a sole proprietorship, partnership, corporation, limited liability company, Joint Venture or any other business or professional entity:

- (1) Which is at least 51 percent Owned by one or more Women, or in the case of a publicly owned business, at least 51 percent of all classes of the stock of which is Owned by one or more Women;
- (2) Whose management, policies, major decisions and daily business operations are independently managed and Controlled by one or more such Women; and
- (3) Which has its principal place of business and a majority of its regular, full time work force located within the County's Marketplace.

Sec. 34-264. Race- and gender-neutral measures to implement the Program.

The County shall use measures such as the following in implementing the Program.

- (a) Establishing schedules for submitting Bids and Quotations with adequate time frames for identifying and contacting PCEs qualified to participate in the Procurement;
- (b) Segmenting Procurements to facilitate the participation of MBEs, WBEs and other Small Businesses;
- (c) Providing timely information on contracting procedures, Bid preparation and specific contracting opportunities;
- (d) Holding pre-Bid conferences, where appropriate, to explain the projects and to encourage Contractors to use available qualified PCEs.
- (e) Reviewing retainage, bonding and insurance requirements to eliminate unnecessary barriers to contracting with the County;
- (f) Collecting information from all Contractors detailing the Bids or proposals received from all subcontractors for Procurements and the expenditures to PCEs;
- (g) At the discretion of the CCD, in cooperation with the CPO, periodically entering into a procurement process without Program Goals or Project Specific Goals in order to determine MBE and WBE utilization in the absence of such goals;
- (h) Referring complaints of discrimination to Cook County's Commission on Human Rights, or other appropriate authority, for investigation.

Sec. 34-265. Program administration.

- (a) The Office of Contract Compliance, under the direction of the CCD, who shall report to the President, shall administer the Program. The duties of the CCD shall include:
 - (1) Formulating, proposing and implementing rules and regulations for the development, implementation and monitoring of the Program.
 - (2) Providing information and assistance to PCE's and Small Businesses relating to the Program, and serve as a liaison to community, contractor, professional and supplier groups, and associations and organizations.
 - (3) Establishing uniform procedures and criteria for certifying, recertifying and decertifying Persons as PCEs, accepting certifications by other agencies, and maintaining a directory of Certified PCEs.
 - (4) Establishing Contract Specific Goals based upon the availability of PCEs to provide the supplies, materials and equipment or services required by the Contract;
 - (5) Monitoring Contracts to evaluate compliance with Contract Specific Goals and commitments.
 - (6) Cooperating with and providing assistance to Using Agencies to facilitate participation by PCEs in Procurements.

- (7) Reviewing, approving or rejecting Utilization Plans for achievement of Contract Specific Goals, and evaluate the extent to which goals were achieved.
- (8) Monitor contracts to ensure compliance with Section 34-388, Prompt Payment of PCEs.
- (9) Receiving, reviewing, and acting upon complaints and suggestions concerning the Program.
- (10) Evaluate the effectiveness and utility of the Program.
- (11) Monitoring the Program and the County's progress towards the Program Goals. The CCD shall report on a quarterly and annual basis to the President on the Program.
- (12) The CCD shall report to the CCC, at its request, information regarding the administration of the Program and its progress toward achieving the Program Goals.

(b) Using Agencies shall cooperate with the CCD in the administration of the Program, specifically including assisting the CCD with setting Contract Specific Goals and assisting in the identification of available MBEs and WBEs.

Sec. 34-266. Contract Compliance Committee.

The Contract Compliance Committee ("CCC") shall be a Standing Committee of the Board, consisting of seven members of the Board selected as set forth in Chapter 2, Article III, Section 2-105 of the Code. The CCC shall review procedures, proposed modifications to the Program or this division 8, and complaints as referred by the CCD or the CPO.

Sec. 34-267. Program goals.

(a) The County aspires to the following annual Program Goals: A goal of twenty-five percent (25%) of the annual total dollar amount of Contracts other than Public Works Contracts to MBEs, and ten percent (10%) of the total dollar amount of such Contracts to WBEs.

b) The CCD, in consultation with the CPO and the Using Agency shall establish Contract Specific Goals for each Contract. In establishing a Contract Specific Goal, the CCD shall consider the availability of sufficient Certified MBEs and WBEs for the supplies, materials and equipment or services required as part of the Procurement.

(c) No goal shall be treated as a quota nor shall it be used to discriminate against any Person on the basis of race, color, national origin, religion or sex.

Sec. 34-268. Certification

The CCD shall Certify only Persons that meet all the following criteria:

(a) The Person must be either an MBE or a WBE, or must establish that such Person has individually suffered bias such that his or her opportunities to form and operate a successful business have been substantially diminished because of race, ethnicity, culture or disability. (b) The Person must be either an individual who is Socially and Economically Disadvantaged or 51 % Owned by one or more individuals who are Socially and Economically Disadvantaged.

- (1) The Ownership by a Socially and Economically Disadvantaged Person must be real, substantial, and continuing, going beyond *pro forma* ownership of the Person as reflected in Ownership documents.
- (2) The contributions to acquire the Ownership interest must be real and substantial. If Expertise is part of the contribution, the Expertise must be of the requisite quality generally recognized in a specialized field, necessary to the Person's potential success, specific to the type of work the Person performs and documented in the Person's records.
- (b) The Person must be managed and Controlled by one or more Socially and Economically Disadvantaged individual.
 - (1) There must not be any formal or informal restrictions that limit the customary discretion of the Socially and Economically Disadvantaged individual(s). There can be no restrictions through corporate charter provisions, by-law provisions, contracts or any other formal or informal devices that prevent the Socially and Economically Disadvantaged individual(s), without the cooperation or vote of any non-Socially and Economically Disadvantaged individuals, from making any business decision of the Person, including the making of obligations or the dispersing of funds.
 - (2) The Socially and Economically Disadvantaged individual(s) must possess the power to direct or cause the direction of the management and policies of the Person and to make day-to-day as well as long-term decisions on management, policy, operations and work.
 - (3) The Socially and Economically Disadvantaged individual(s) may delegate various areas of the management or daily operations of the Person to individuals are not Socially and Economically Disadvantaged. Such delegations of authority must be revocable, and the Socially and Economically Disadvantaged individual(s) must retain the power to hire and fire any such Person. The Socially and Economically Disadvantaged individual(s) must actually exercise control over the Person's operations, work, management and policy.
 - (4) The Socially and Economically Disadvantaged individual(s) must have an overall understanding of, and managerial and technical competence, experience and Expertise, directly related to the Person's operations and work. The Socially and Economically Disadvantaged individual(s) must have the ability to intelligently and critically evaluate information presented by other participants in the Person's activities and to make independent decisions concerning the Person's daily operations, work, management, and policymaking.
 - (5) If federal, state or local laws, regulations or statutes require a particular license or other credential to own or Control a certain type of Person, then the Socially and Economically Disadvantaged individual(s) must possess the required license or credential.
 - (6) A Socially and Economically Disadvantaged owner cannot engage in outside employment or other business interests that conflict with the management of the Person or prevent the owner from devoting sufficient time and attention to manage and Control the Person's day to day activities.
- (c) Only an independent Person may be certified as a MBE or WBE. An independent Person is one whose viability does not depend on its relationship with another Person. Recognition of an

applicant as a separate entity for tax or corporate purposes is not necessarily sufficient to demonstrate that a Person is independent. In determining whether an applicant is an independent business, the CCD will:

- (1) Scrutinize relationships with non-Certified Persons in such areas as personnel, facilities, equipment, financial and/or bonding support, and other resources.
 - (2) Consider whether present or recent employer/employee relationships between the Socially and Economically Disadvantaged owner(s) of the applicant and non-Certified Persons associated with non-Certified Firms compromise the applicant's independence.
 - (3) Examine the applicant's relationships with non-Certified Persons to determine whether a pattern of exclusive or primary dealings with non-Certified Persons compromises the applicant's independence.
 - (4) Consider the consistency of relationships between the applicant and non-Certified Persons with normal industry practice.
- (d) The Person shall be Certified only for specific supplies, equipment, goods or services, or for types of work in which the Socially and Economically Disadvantaged owner(s) has the ability and Expertise to manage and Control the Person's operations and work.
- (e) In lieu of conducting its own certifications, the CCD by rule may accept formal certifications by other entities as meeting the requirements of the Program, if the CCD determines that the certification standards of such entities are comparable to those set forth herein.
- (f) The certification status of all MBEs and WBEs shall be reviewed periodically by the Office of Contract Compliance. Failure of the Person to seek recertification by filing the necessary documentation with the CCD as provided by rule may result in decertification.
- (g) It is the responsibility of the Certified PCE to notify the CCD of any change in its circumstances affecting its continued eligibility for the Program. Failure to do so may result in the PCE's decertification.
- (h) The CCD shall decertify a PCE that does not continuously meet the eligibility criteria.
- (i) Decertification by another agency shall create a *prima facie* case for decertification by the County. The challenged PCE shall have the burden of proving that its County certification should be maintained.
- (j) A Person that has been denied certification or recertification or has been decertified may protest the denial or decertification as provided by rule.
- (k) A Person found to be ineligible may not apply for certification for six (6) months after the effective date of the final decision.
- (l) A third party may challenge the eligibility of an applicant for Certification or a Certified PCE pursuant to procedures established by the CCD. Such challenges shall be signed and sworn by the individual challenging the eligibility of an applicant for Certification or a Certified PCE. The burden of proof shall rest with the complainant. Such challenges to eligibility shall be subject to an appeal. The CCD shall be the final arbiter of all challenges. The presumption that the challenged PCE is eligible shall remain in effect until the CCD renders a final decision.

Sec. 34-269. Utilization plan; commercially useful function.

(a) *Utilization Plan required.* The CPO shall include in Contract Documents for Contracts covered by this Division, a requirement that a Utilization Plan be submitted which either: (i) commits to PCE participation equal to or greater than the applicable Program Goals or Contract Specific Goals, or (ii) requests a waiver of all or a portion of a Program Goal or Contract Specific Goal. The Utilization Plan shall be in such form and contain such information as is required by the CCD. Failure to include a Utilization Plan will render the submission not Responsive. The CCD shall review and either approve or reject the Utilization Plan. For purposes of evaluation a Utilization Plan, only PCEs which perform a Commercially Useful Function shall be considered.

(b) *Commercially Useful Function.* To be considered in meeting Goals, a PCE must perform a Commercially Useful Function, as determined pursuant to this subsection 34-269(b). “Commercially Useful Function” means the performance of a distinct element of work required for the Procurement, with the requisite skill and Expertise.

(1) In the case of a Procurement of goods or equipment, ordering from a manufacturer or distributor for delivery directly to the Using Agency is not a Commercially Useful Function; provided, however, that to the extent such practice is consistent with normal industry practices, a PCE subcontractor may enter into second tier subcontracts. However, if a PCE Contractor or subcontractor subcontracts a significantly greater portion of the work of the Contract than would be expected on the basis of normal industry practices, the PCE shall be presumed not to be performing a Commercially Useful Function.

(2) In the case of a Procurement of services, a Person which subcontracts with another Person to perform the services required does not perform a Commercially Useful Function unless such Person also performs significant supervisory or management responsibilities. A Broker does not fulfill a Commercially Useful Function. In the case of a Joint Venture partner, each Joint Venture partner must perform a Commercially Useful Function.

(c) PCE does not perform a Commercially Useful Function if its role is limited to that of an extra participant in the Contract through which funds are passed in order to obtain the appearance of PCE participation.

(d) When a PCE is presumed not to be performing a Commercially Useful Function, the Certified PCE and the Person seeking to include that PCE in its Utilization Plan, may present evidence to rebut this presumption.

(e) Once a Utilization Plan has been approved, the Contractor cannot make changes to the Utilization Plan, including substituting PCEs named in the Utilization Plan, without the prior written approval of the CCD, CPO and the Using Agency. The CCD shall promulgate procedures for changes to the Utilization Plan.

Sec. 34-270. Methods to Achieve Goals and Compliance.

A Person may achieve the applicable Contract Specific Goals in any one or more of the methods set forth below. The same PCE, whether as a contractor, subcontractor or supplier, cannot be utilized as both a MBE and a WBE on the same Contract.

- (1) *PCE as prime Contractor.* An MBE or WBE may count its own participation toward the achievement of the applicable MBE or WBE goal. Such PCE will be required to meet the other goals by another method described herein. If a WBE is also a MBE, such WBE's participation may count toward either the MBE or WBE Goal but not both.
- (2) *Joint Venture with one or more PCE.* Where a Person engages in a Joint Venture with one or more PCEs, the Utilization Plan shall include a written agreement at least the information set forth in subsection 34-384 (ii) 1 through 4 below. The CCD shall consider the following in determining whether the proposed Utilization Plan satisfies the Program Goals based upon such written Joint Venture agreement and the Utilization Plan.
 - a. Each Joint Venture partner's initial capital investment;
 - b. The extent to which the PCE's proposed participation in the performance of the Contract constitutes a Commercially Useful Function;
 - c. Whether the PCE's share in the risks and profits of the Joint Venture is proportional to their ownership interest;
 - d. Whether the PCE will have duties, responsibilities, management Control and risk with respect to the Joint Venture in proportion to its ownership interest;
- (3) *Subcontracting.* A Person may achieve the Contract Specific Goals by means of subcontracting with, or purchasing from one or more PCEs.

Sec. 34-271. Request for a total or partial waiver; Good Faith Efforts.

(a) In reviewing a partial or total request for waiver of a Goal, the CCD shall determine whether a Person has made good faith efforts to meet the applicable Goals and to what extent the waiver request should be granted. In determining whether a Person has made Good faith efforts, the CCD will consider whether the Person has taken the following actions:

- (1) Review lists of PCEs maintained by the County and other State and local governments and agencies to identify qualified PCEs for solicitation for Bids;
- (2) Divide Procurement requirements into small tasks or quantities. This shall include, where appropriate, breaking out Contract work items into economically feasible units, consistent with the availability of PCEs, to facilitate PCE participation, even when the Contractor would otherwise prefer to perform these work items with its own forces.
- (3) Adjust any insurance requirements imposed by the Person seeking PCEs, or otherwise assist PCEs in obtaining any required insurance, where economically feasible, to encourage participation by PCEs;
- (4) Make timely attempts to contact PCEs providing the type of supplies, equipment, goods or services required for the Procurement; and provide them with a convenient and timely opportunity to obtain and review all information concerning the Procurement necessary to enable such PCE to respond;

- (5) Follow up initial contacts of PCEs to determine if they are interested participating in the Procurement;
- (6) Negotiate in good faith and on a timely basis with PCEs to enable them to participate in the Procurement. Evidence of such negotiation includes the names, addresses, and telephone numbers of PCEs that were contacted; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and why agreements could not be reached. The Contractor may not reject PCEs as being unqualified without sound reasons. That there may be some additional costs involved in finding and using PCEs is not in itself sufficient reason for a Contractor's failure to meet the Goals, as long as such costs are reasonable.
- (7) Make efforts to assist interested PCEs in obtaining necessary equipment, supplies, materials, or related assistance or services, where appropriate; provided, however, that such efforts shall not be inconsistent with the requirement that the PCE be responsible for actually obtaining and paying for such items.
- (8) Establish delivery schedules which will encourage participation by PCEs, where the requirements of the Procurement permit;
- (9) Use the services and assistance of the CCD's staff, the Small Business Administration, the Office of Minority Business Enterprises of the U.S. Department of Commerce;
- (10) Timely notify appropriate community and minority and women's business organizations identified as assist agencies of the opportunity for participation in the Procurement;
- (11) Demonstrate to the CCD that no PCE exists with which a mentor/protégé relationship could be established, as described in Section 34-271.

(b) In determining whether a Bidder or Respondent has made Good Faith Efforts, the levels of participation by PCEs set forth in Utilization Plans submitted by other Persons for the same Procurement may be considered. For example, if the apparent successful Bidder or Respondent fails to meet the Contract Specific Goals, but meets or exceeds the average PCE participation obtained by other Bidders or Respondents, this may be evidence that the apparent successful Bidder or Respondent made Good Faith Efforts.

(c) Where the County requires professional services, the County must be able to call upon those professionals whose particular training and experience are most beneficial to the County.

- (1) The County sets an annual "best efforts" goal of 35 percent PCE participation for the total professional services and consulting services utilized by the County.
- (2) A Utilization Plan shall be required, and if a waiver or partial waiver is requested, "good faith" efforts shall be demonstrated as set forth in Section 34-271; provided, however, that such Persons shall not be required to attempt to subcontract with PCEs if sub-contractors would not typically be utilized for the type of Procurement. In such cases, the Person shall document the reasons for not sub-contracting in a waiver request.
- (3) The Contractor will endeavor to maximize use of PCEs for supplies, equipment, goods or services for such Contractor's business operations not specifically for the Procurement.

- (4) If such Persons is required to have or has an affirmative action plan and goals, such plan and goals shall be submitted with their Utilization Plan. The CCD shall compare such plan and goals with the Person's actual affirmative action achievements and such achievements may be considered by the County in future Procurements.

(d) *Mentor/protege agreements.* Where a Contractor enters into mentor/protege agreement with a PCE to improve or develop certain aspects of the business of the PCE, the CCD shall evaluate the effect of such agreement as a factor in determining good faith efforts. The mentor/protege agreement may provide for the Contractor to assist the PCE in such areas as technical aspects of the PCE's business, improving financial management, or providing on-the-job training. To constitute good faith efforts, the mentor/protégé agreement shall satisfy the following requirements.

- (1) The PCE performs a Commercially Useful Function;
 - (2) The agreement shall be included in the Utilization Plan; and
 - (3) The agreement clearly defines the respective responsibilities of the Contractor and the PCE and includes specific, measurable goals to be attained by both parties through the performance of the agreement. In order to be a factor in establishing best efforts, the mentor/protégé agreement must be for a reasonable period of time.
- (e) The CCD may grant a total or partial waiver based upon the following criteria:
- (1) There are not sufficient PCEs capable of providing the supplies, equipment, goods or services required for the Procurement;
 - (2) The Procurement cannot reasonably be divided;
 - (3) The price required by potential PCEs is more than ten percent above competitive levels; and
 - (4) Any other factor relating to good faith efforts as set forth in the Person's Utilization Plan.

Sec. 34-272. Calculating PCE participation.

In calculating a PCE's participation, only dollar amounts commensurate with a PCE's performance of a Commercially Useful Function may be counted.

(a) The dollar value of that portion of a Procurement that is performed by the PCEs' own forces shall be counted, including the cost of supplies, materials and equipment furnished by the PCE for the Procurement, whether purchased or leased (except to the extent purchased or leased from the Contractor or the Contractor's Affiliate).

(b) The dollar amount of fees or commissions charged by a PCE for providing a bona fide service, such as professional, technical, consultant, managerial, insurance brokerage or surety services, shall be counted, provided the fee is reasonable and not excessive as compared with fees customarily charged for similar services.

(c) When a PCE is a Joint Venture partner, only the dollar value of the distinct, clearly defined work performed by the PCE with its own forces, shall be counted.

- (d) Only the dollar value must be commensurate with the work the PCE actually performs.
- (e) One hundred percent (100%) of the cost of the supplies, equipment or goods obtained from a PCE Manufacturer or Regular Dealer shall be counted.
- (f) One hundred percent of the fees or transportation charges for the delivery of supplies, equipment, materials or goods shall be counted only if the payment of such fees is a customary industry practice and such fees are commensurate with fees customarily charged for similar services.
- (g) If a PCE ceases to be Certified during its performance on a Procurement, the dollar value of work performed under a Contract with that Person after it has ceased to be Certified shall not be counted.
- (h) Only the dollar amount actually paid to the PCE shall be counted toward the participation of a PCE.

Sec. 34-273. Review of contract performance.

(a) *Compliance with Utilization Plan.* The CCD shall review the Contractor's compliance with its Utilization Plan as necessary during the performance of the Contract. The CCD may establish such requirements for periodic Contractor reporting on compliance with its Utilization Plan as the CCD determines appropriate and necessary. A Contractor shall be required to provide any additional requested compliance documentation within 14 days of request by the CCD.

- (1) If the CCD determines that the Contractor has failed to comply with its Utilization Plan, the CCD shall notify the CPO of such failure. The CPO shall then send notice of default to the Contractor, and the Contractor shall have such time to cure the default as is provided in the Contract. If no such period is provided, the Contractor shall have ten days to cure such default. For purposes of this Section, providing a plan for bringing the Contract into compliance with the Utilization Plan may constitute a cure, if compliance cannot reasonably be achieved within the applicable cure period, and if compliance is achieved in accordance with such plan.
- (2) If a Contractor fails to provide any documentation required by the CCD, the CCD shall notify the CPO of such failure. The CPO shall then send notice of default to the Contractor, and the Contractor shall have such time to cure the default as is provided in the Contract. If no such period is provided, the Contractor shall have ten days to cure such default.

(b) *Bid and target market programs.* To address more specifically the barriers to PCE participation as prime Contractors in County work, the CCD may recommend to the CPO to institute the following special PCE bidding provisions, following determination of the appropriateness of such provisions.

- (1) In connection with the award of a Contract subject to competitive bidding on which a PCE has bid and where the PCE is bidding on the item in question for the first time; and has never successfully bid on a Cook County purchasing contract, the Contract Compliance Director may, at the opening of the bids on the item, compare the PCE Bid with the lowest Bid, and, if the PCE's Bid is closely competitive as defined by guidelines to be established by the Contract Compliance Director with that of lowest actual Bids, direct the CPO to declare the PCE the successful Bidder. A PCE may use this procedure

only once to become the successful Bidder on any particular item. Thereafter, the PCE must be totally competitive in terms of price to be the successful Bidder.

- (2) The Contract Compliance Director shall develop and coordinate a target market program as follows:
 - a. The Contract Compliance Director shall review the availability of PCEs providing various goods and services and shall identify for inclusion in a potential program for bidding among PCE Persons certain commodity areas with sufficient PCE availability to ensure that the County receives a competitive price. The Contract Compliance Director shall report his/her findings and recommendations to the Contract Compliance Committee;
 - b. Upon a determination by the CCD that such a program is advisable for any particular commodity procurement, the Contract Compliance Director will institute the following procedures:
 1. The Contract Compliance Director will notify the CPO of identification of those commodity codes appropriate for a target market program;
 2. To the extent practicable, the CPO, with the aid of the Contract Compliance Director, shall divide procurement in the designated commodity areas into economically feasible sizes to facilitate Bids or offers from PCEs and shall designate contracts to be offered under the target market program;
 3. The CPO shall offer PCEs the opportunity to bid on such contracts in a limited competition;
 4. All standard County rules for bidding will then become effective and, provided that at least three PCEs Bid or make an offer on the contract, the lowest Responsive and Responsible Bidder among the PCEs will receive the contract;
 5. In the event less than three PCEs Bid or make an offer on the Contract or if there is no Responsive Bid or offer received from a Responsible PCE, the CPO shall rebid the Contract not subject to the target market program.
 - c. Participation in the target market program shall be limited to Minority Business Enterprises, Women's Business Enterprises and Joint Ventures consisting exclusively of Minority Business Enterprises, Women's Business Enterprises or both. The PCE Contractor on a target market Contract may subcontract up to 49 percent of the dollar value of the target market Contract to subcontractors who are not Minority Business Enterprises or Women's Business Enterprises.

Sec. 34-274. Prompt payment of PCEs.

If an invoice from a Contractor includes payment for supplies, equipment, goods or services furnished by a PCE, Contractor shall pay such PCE for such supplies, equipment, goods or services within thirty (30) days after receipt of payment from the County. The CCD shall investigate any

complaint or charge of excessive delay in payment, and shall report the results of such investigations to the Contract Compliance Committee and to the County Comptroller. Failure of Contractor to comply with this Section 34-388 shall constitute a material breach of the Contract.

Sec. 34-275. Reporting and review.

The CCD shall report to the Board on an annual basis with respect to the following:

- (1) The percentage of the total dollar amount of Procurements for such year actually received by PCEs;
- (2) The number of MBEs and WBEs available for participation in Procurements, by category;
- (3) An evaluation of the effectiveness of this division in ensuring equitable participation by PCEs in Procurements;
- (4) An assessment of the continuing need for the Program;
- (5) Identification of any enforcement problems; and
- (6) Any recommendations with respect to modifying or improving the Program, including discontinuing or modifying Program Goals in those cases where Minority Business Enterprises and Women's Business Enterprises no longer are disadvantaged by the effects of discrimination in their participation in Procurements.

Sec. 34-276. Prohibited provisions.

Any agreement between a Contractor and a MBE or WBE in which the Contractor requires that the MBE or WBE not provide subcontracting quotations to other Contractors is prohibited.

Subdivision II. Participation in Cook County Public Works Contracts

Sec. 34-285. Short title; incorporation of provisions.

This subdivision may be known and cited as the Cook County Public Works Minority- and Women-Owned Business Enterprise Ordinance. The provisions of the Cook County Minority- and Women-Owned business Enterprise General Ordinance are applicable to Public Works Contracts, except to the extent modified hereby.

Sec. 34-286. Findings.

(a) The findings set forth in subdivision I Section 34-261 of this division 8 are incorporated herein by this reference.

(b) The requirement in subdivision I that minority- and women-owned businesses (M/WBEs) be allotted certain percentages of County construction contracts was ruled unconstitutional as applied to construction contracts in *Builders Association of Greater Chicago v. County of Cook*, 256 F.3d 642 (7th Cir. 2001). See also *Builders Association of Greater Chicago v. City of Chicago*, 2003 WL 1786489, 2003 U.S. Dist. Lexis 23287 (N.D. Ill. 2003).

(c) The President and the Board of Commissioners of the County of Cook, after considering (i) evidence presented at trial in *Builders Association of Greater Chicago v. City of Chicago*, 298 F.Supp.2d 725 (N.D. Ill. 2003) and *Northern Contracting, Inc. v. Illinois Department of Transportation*, 2005 U.S. Dist. LEXIS 19868 (N.D. Ill. Sept. 8, 2005); (ii) County statistical evidence of continuing discrimination against Blacks, Hispanics, Asians and women in the County's Procurements; (iii) the Report title, "Review of Compelling Evidence of Discrimination Against Minority- and Women-Owned Business Enterprise in the Chicago Area Construction Industry and Recommendations for Narrowly Tailored Remedies for Cook County, Illinois;" as well as (iv) anecdotal evidence of discrimination against minorities and women in the County's Public Works Contracts; and (v) receiving and considering written reports, adopts the following findings as a strong basis in evidence supporting a narrowly tailored, remedial affirmative action program in Public Works Contracts.

(d) The County seeks to provide a level playing field and equal access for all prime contractors and subcontractors to participate in Public Works Contracts;

(e) The County has engaged in committee hearings in which the County has heard anecdotal evidence of discrimination in the construction industry, has commissioned a study on the levels of PCE participation in Public Works Contracts, has reviewed the report prepared indicating evidence of discrimination in Public Works Contracts and has considered the evidence in relevant case law; and

(f) In the absence of application of the Program to Public Works Contracts, the County has witnessed a drastic decline in PCE in its Public Works Contracts, to levels below the availability of PCEs, and thus, the County would be a passive participant in a discriminatory marketplace without the application of PCE goals.

Sec. 34-287. Policy.

Based on the findings set forth in subdivision I, Section 34-261 and the findings set forth in subdivision II, Section 34-286, and in addition to the policy set forth at Section 34-262, the policy and purpose of this subdivision is to establish and implement goals for participation of PCEs in Public Works Contracts, in accordance with all applicable laws.

Sec. 34-288. Program goals.

The Program Goal applicable to Public Works Contracts shall be a goal of twenty-four percent (24%) of the annual total dollar amount of Public Works Contracts to MBEs and a goal of not less than ten percent (10%) of the annual total dollar amount of Public Works Contracts to WBEs. In establishing a Contract Specific Goal for Public Works Contracts, the CCD shall consider the availability of sufficient Certified MBEs and WBEs for each trade required as part of the project.

Sec. 34-289. Commercially useful function.

To determine whether a PCE is performing a Commercially Useful Function, the County will evaluate whether the portion of the work subcontracted to or by a PCE is in accordance with industry standards. For example, if a PCE subcontracts a greater portion of the work of a Contract than would be expected based on normal industry practice, it is presumed not to perform a Commercially Useful Function. In addition, to perform a Commercially Useful Function, the PCE must be responsible, with respect to materials, equipment and supplies used in performing its portion of the Contract, for negotiating price, determining whether quality meets specifications, ordering the material, installing (where applicable) and paying for the material itself.

DIVISION 9. CONTRACT MANAGEMENT

Sec. 34-300. Contracts

- (a) *Purpose.* The purpose of this Division is to ensure that Contracts in an amount of \$1,000,000.00 or more are performed in accordance with the Contract terms.
- (b) *Applicability.* This Division shall only apply to Contracts of \$1,000,000.00 or more.
- (c) *Funding.* The extent to which this division shall be implemented shall be limited to the availability of funding. The Board encourages the County to seek out any available grant funding for this initiative.

Sec. 34-301. Information to be contained in Contracts

All Contracts over \$1,000,000.00 should contain, but not be limited to, the following information, as applicable:

- (a) Clearly state the specifications, contract period, allowable renewals or extension periods, and procedures for amendments or changes;
- b) Provide for specific measurable deliverables and reporting requirements, including due dates;
- (c) Describe any payment schedules and escalation factors;
- (d) Contain performance standards;
- (e) Tie payments to the acceptance of deliverables or the final product;
- (f) Contain all standard or required clauses as published in an RFP. Order of precedence should be addressed in case of a discrepancy between the RFP and the Contract;
- (g) Contain appropriate signatures, approvals, acknowledgements, or witnesses; and
- (h) Be reviewed and approved as to form by an attorney from the Cook County State's Attorney's Office prior to execution.

Sec. 34-302. Contract management for Contracts.

- (a) Using Agency responsibilities are as follows:
 - (1) Designate one or more individuals as the "Contract Manager" with the knowledge, skills, ability and time to monitor the Contract;
 - (2) The CPO may provide staff to assist the Using Agency in complying with this division.
- (b) Contract Manager's duties:
 - (1) Monitor performance of the Contract in accordance with its terms;
 - (2) Track budgets and compare invoices and charges to contract terms and conditions;

- (3) Document the timeliness and acceptance or rejection of deliverables and initiate appropriate action to enforce the Contract terms; and
- (4) Evaluate and document compliance with Contract requirements on a periodic basis during the term of the Contract and submit to the CPO.
- (c) CPO's duties:
 - (1) Create uniform evaluation forms for use by Contract Managers, to evaluate the extent to which the Contractor satisfied the Contract terms;
 - (2) Establish appropriate procedures to ensure that evaluations are utilized in determining whether a Bidder or Proposer is Responsible; provided, however, that evaluations made only within the past three years shall be considered;
 - (3) Assist Using Agencies in obtaining training through the National Contract Managers Association, Institute of Supply Management or National Institute of Government Purchasing standards, for Contract Managers.

DIVISION 10. INVOICES FOR SERVICES RENDERED

Sec. 34-310. Invoices required for all service Contracts.

(a) *Work Performed.* All Contracts for services, regardless of compensation structure, shall contain a provision requiring the Contractor to maintain and submit for review upon request by the Using Agency, itemized records indicating the dates that services were provided, a detailed description of the work performed on each such date, and the amount of time spent performing work on each such date.

(b) *Expenses.* Contracts for services shall also require Contractors to submit documentation of the types and amounts of expenses incurred related to the work performed if the Contractor seeks reimbursement for any such expenses incurred.

(c) *Invoice Documentation.* All Contracts for services, regardless of compensation structure, shall contain a provision requiring the Contractor to submit itemized records indicating the dates or time period in which the services being invoiced were provided, a detailed description of the work performed for the time period being invoiced and the amount of time spent performing work for the time period in question. In addition, all Contracts for services that are procured as Sole Source must also contain a provision requiring the Contractor to submit itemized records indicating the dates that services were provided, a detailed description of the work performed on each such date, and the amount of time spent performing work on each such date.

(d) *Payment.* All Contracts for services shall further require that the itemized work and expense records required in 34-310 (b) and (c) be submitted to the Using Agency with the Contractor's invoice as a condition of payment for any services rendered.

Sec. 34-311. No payment prior to submission of invoice.

The Comptroller shall not issue a payment to any Contractor providing services who has not submitted the requisite invoice with work and expense records unless the Contractor has been approved for advance payment per the Contract. The Comptroller shall not issue an advance payment to any

Contractor providing services unless the invoice includes written authorization from the Using Agency documenting the contractual basis for the advance payment. Contractors approved for advance payment shall be required to submit invoices providing work and expense records as described above in Section 34-310 on at least a monthly basis.

Effective date. This Ordinance shall in effect thirty (30) days after adoption.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313902 **THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA (PROPOSED CONTRACT).** Transmitting a Communication dated July 26, 2011 from Lisa M. Walik, Director, Department of Risk Management:

requesting authorization for the Purchasing Agent to enter into a contract with The Guardian Life Insurance Company of America, Chicago, Illinois, for dental insurance benefits.

Reason: To provide the eligible Cook County employees and their dependents with managed care dental benefits (PPO and HMO) for a period of (2) two years with two one-year renewal options to coincide with the ongoing collective bargaining process. A Request for Qualifications ("RFQ") was downloaded by thirty-three (33) companies and seven (7) insurance companies responded to the RFQ. In accordance with the procurement process, each of the responses were reviewed and each respondent was deemed qualified. A Request for Proposal was subsequently issued this past spring to the qualified respondents. Based upon the initial analysis of the proposals submitted, three companies were selected as finalists and The Guardian Life Insurance Company of America was recommended for contract award.

Estimated Fiscal Impact: \$8,000,000 (*representing a 3% reduction over the current expenditure for this benefit and a cost savings of approximately \$93,000 to the County).

*The estimated fiscal impact is based on current enrollment and the plan design that is in force. The plan design and costs are subject to change based on the outcome of future labor negotiations. Therefore, the fiscal impact is subject to change accordingly. Based on these factors, sufficient funds will be budgeted for each fiscal year.

Contract period: December 1, 2011 through November 30, 2013 (542-177. Dental Insurance Account). Approval of this item would commit Fiscal Years 2012 and 2013 funds.

***Referred to the Committee on Finance on 7-27-11.**

COMMISSIONER BUTLER, SECONDED BY COMMISSIONER GORMAN, MOVED APPROVAL OF COMMUNICATION NO. 313902.

FOLLOWING DISCUSSION, COMMISSIONER SCHNEIDER, SECONDED BY

COMMISSIONER GOSLIN, MOVED TO DEFER COMMUNICATION NO. 313902. A VOTE WAS TAKEN ON THE MOTION TO DEFER COMMUNICATION NO. 313902. COMMISSIONER GORMAN CALLED FOR A ROLL CALL, THE VOTE OF YEAS AND NAYS BEING AS FOLLOWS:

**ROLL CALL ON MOTION TO DEFER
COMMUNICATION NO. 313902**

**YEAS: COMMISSIONERS BEAVERS, GAINER, GOSLIN, SCHNEIDER
AND SILVESTRI (5)**

**NAYS: COMMISSIONERS BUTLER, COLLINS, FRITCHEY, GARCIA,
GORMAN, MURPHY, REYES, SUFFREDIN, TOBOLSKI, VICE
CHAIRMAN SIMS AND CHAIRMAN DALEY (11)**

ABSENT: COMMISSIONER STEELE (1)

THE MOTION TO DEFER COMMUNICATION NO. 313902 FAILED.

**COMMISSIONER BUTLER, SECONDED BY COMMISSIONER GORMAN,
MOVED TO APPROVE COMMUNICATION NO. 313902. THE MOTION
CARRIED.**

313903

HEALTH CARE SERVICE CORPORATION (PROPOSED CONTRACT).
Transmitting a Communication dated July 26, 2011 from Lisa M. Walik, Director,
Department of Risk Management:

requesting authorization for the Purchasing Agent to enter into a contract with Health Care
Service Corporation, Chicago, Illinois, for health insurance benefits.

Reason: To provide the eligible Cook County employees and their dependents with
health care benefits (PPO and HMO) for a period of (2) two years with two
one-year renewal options. A Request for Qualifications ("RFQ") was
downloaded by thirty-three (33) companies and four (4) insurance companies
responded to the RFQ. In accordance with the procurement process, each of
the responses were reviewed and each respondent was deemed qualified. A
Request for Proposal was subsequently issued this past spring to the qualified
respondents. Based upon the initial analysis of the proposals submitted, three
companies were selected as finalists and Health Care Service Corporation was
recommended for contract award.

Estimated Fiscal Impact: \$262,000,000*. Contract period: December 1, 2011 through
November 30, 2013. Department Number: 542-176 (Health Insurance).

*The estimated fiscal impact is based on current enrollment and the plan design that is
currently force. The plan design and costs are subject to change based on the outcome of
future labor negotiations. Therefore, the fiscal impact is subject to change accordingly.
Based on these factors, sufficient funds will be budgeted for each fiscal year.

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

~~requesting authorization for the Purchasing Agent to enter into a contract with The Guardian Life Insurance Company of America, Chicago, Illinois, for dental insurance benefits.~~

~~Reason: To provide the eligible Cook County employees and their dependents with managed care dental benefits (PPO and HMO) for a period of (2) two years with two one year renewal options to coincide with the ongoing collective bargaining process. A Request for Qualifications ("RFQ") was downloaded by thirty three (33) companies and seven (7) insurance companies responded to the RFQ. In accordance with the procurement process, each of the responses were reviewed and each respondent was deemed qualified. A Request for Proposal was subsequently issued this past spring to the qualified respondents. Based upon the initial analysis of the proposals submitted, three companies were selected as finalists and The Guardian Life Insurance Company of America was recommended for contract award.~~

~~Estimated Fiscal Impact: \$8,000,000 (*representing a 3% reduction over the current expenditure for this benefit and a cost savings of approximately \$93,000 to the County).~~

~~*The estimated fiscal impact is based on current enrollment and the plan design that is in force. The plan design and costs are subject to change based on the outcome of future labor negotiations. Therefore, the fiscal impact is subject to change accordingly. Based on these factors, sufficient funds will be budgeted for each fiscal year.~~

~~Contract period: December 1, 2011 through November 30, 2013 (542-177. Dental Insurance Account). Approval of this item would commit Fiscal Years 2012 and 2013 funds.~~

~~*Referred to the Committee on Finance on 7-27-11.~~

COMMISSIONER BUTLER, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO APPROVE COMMUNICATION NO. 313903, AS AMENDED BY ERRATA. THE MOTION CARRIED.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

SECTION 12

Your Committee has considered the highway bills submitted by the Superintendent of Highways for approval and payment.

Your Committee, after considering said bills, recommends that they be, and by the adoption of this report, approved.

**COOK COUNTY, ILLINOIS
COMPTROLLER'S OFFICE JOURNAL
BILLS TRANSMITTED FROM DEPARTMENT OF HIGHWAYS
COOK COUNTY HIGHWAY DEPARTMENT – SEPTEMBER 7, 2011**

VENDOR	DESCRIPTION	AMOUNT
<u>MOTOR FUEL TAX FUND NO. 600-600</u>		
A. Lamp Concrete	Section: 08-W3719-04-FP Narragansett Avenue 87th Street to 79th Street Estimate # 2	\$203,431.00
Acura, Inc.	Section: 11-B6022-04-RP 171st Street LaGrange Road to Harlem Avenue Estimate # 2	250,310.45
Greco Contractors, Inc.	Section: 09-V6946-03-RP Arlington Heights Road University Drive to Lake-Cook Road Estimate # 9	447,716.61
Section: 09-A6416-01-RP	Dempster Street Algonquin Road to Elmhurst Road Estimate # 17 & Semi-Final	111,266.94
Iroquois Paving Corp.	Section: 00-W3701-02-FP Ridgeland Avenue Steger Road to Sauk Trail Estimate # 18	34,723.95
K-Five Construction Corp.	Section: 11-C1125-02-RS Sauk Trail Harlem Avenue to Ridgeland Avenue Estimate # 3	3,691.56
Martam Construction, Inc.	Section: 00-B1003-05-RP Group 1-2009 W. Bartlett Road Munger/Naperville Road Estimate # 36	20,186.28
Plote Construction, Inc.	Section: 10-A7816-02-RS Group 1-2011 Willow Road/Wheeling Road Estimate # 3	264,571.00
A. Lamp Concrete	Section: 08-W3719-04-FP Narragansett Avenue 87th Street to 79th Street Estimate # 3	173,411.07
Acura, Inc.	Section: 11-B6022-04-RP 171st Street	

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	LaGrange Road to Harlem Avenue Estimate # 3	290,011.32
Bigane Paving Company	Section: 11-B4527-03-RS 103rd Street Central Avenue to Cicero Avenue Estimate # 1	291,629.00
Capitol Cement Company	Section: 01-A5020-02-RP Lake Cook Road East of Wilmot Road to Pfingsten Road Estimate # 6	842,072.93
Conc. Struct. of the M.W. Inc.	Section: 05-B6422-03-FP 183rd Street LaGrange Road to 80th Avenue Estimate # 37 & Semi-Final	302,134.30
Greco Contractors, Inc.	Section: 09-V6946-03-RP Arlington Heights Road University Drive to Lake-Cook Road Estimate # 10	404,907.15
Hecker & Company, Inc.	Section: 10-TSCMC-08-TL Traffic Signal (53 Loc.) Modernization and LED Retrofit Estimate # 1	125,940.60
Kovilic Construction Company	Section: 09-A7924-02-BR Winnetka Road Bridge over North Branch Chicago River Estimate # 5	9,126.94
Pan-Oceanic Eng. Company	Section: 09-37120-90-FP Wheeling Township 2009 E.R.P. Project, Gregory Street to Graylynn Drive Estimate # 1	17,906.67
Plote Construction, Inc.	Section: 11-A7923-03-RS Winnetka Road Waukegan Road to Edens Expressway Estimate # 3	248,873.77
	Section: 10-A7816-02-RS Group 1-2011 Willow Road/Wheeling Road Estimate # 4	30,173.85
Triggi Construction, Inc.	Section: 11-B6128-05-RP 175th Street	465,142.51

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	Cicero Avenue to Kedzie Avenue Estimate # 1	
	Section: 11-C1136-01-RP Sauk Trail Calumet Expressway to Torrence Avenue Estimate # 1	265,714.11
K-Five Construction Corp.	Section: 10-14132-90-RS Lemont Township 2011 Project Estimate # 1	218,771.70
Illinois EPA Fiscal Services Section	11-6HISP-35-ES NPDES Annual Fee July 1, 2011 through June30, 2012 Storm Water MS4 Permit # ILR400485	1,000.00
Christopher B. Burke Engineering, Ltd	09-8TSDS-08-ES Electrical Engineering Design Services at Various Location Work Order #4, Estimate #6 and Final	3,388.65
Christopher B. Burke Engineering, Ltd	09-8TSDS-08-ES Electrical Engineering Design Services at Various Location Work Order #5, Estimate #4	5,399.99
Christopher B. Burke Engineering, Ltd	09-8TSDS-08-ES Electrical Engineering Design Services at Various Location Work Order #5, Estimate #5	2,880.03
Christopher B. Burke Engineering, Ltd	09-8TSDS-08-ES Electrical Engineering Design Services at Various Location Work Order #5, Estimate #6	2,505.31
Christopher B. Burke Engineering, Ltd	09-8TSDS-08-ES Electrical Engineering Design Services at Various Location Work Order #5, Estimate #7	3,135.21
<u>Motor Fuel Tax Fund # 5300 (600-600)</u>		
DuPage County Division of Transportation	00-B1003-05-RP Along Munger / Naperville Road and West Bartlett Road Estimate # 5 & Final	1,143.99
Graef – USA Inc.	85-W8140-01-RP	39,665.58

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	Potter Rd – Dempster St to Evanston-Elgin (Golf) Rd Estimate # 17 & Final	
McDonough Associates, Inc.	98-A5019-03-EG Lake-Cook Road Tristate to Waukegan Road Estimate # 25 – Phase II 1,759.62 Estimate # 26 – Phase II Estimate # 13 – 3 rd Supplemental Estimate # 14 – 3 rd Supplemental & Final 12,273.94 Estimate # 5 – 4 rd Supplemental 610.20 Estimate # 6 – 4 rd Supplemental 610.20	39, 102.65 552.33
Americam Consulting Engineers, L.L.C.	06-W3701-03-EG Ridgeland Avenue P.S. & E – Design Services Ridgeland and Harlem Avenue – ROW Services Estimate # 29 & Final Estimate # 11 – Huff & Final	110,468.48 6,791.63
AECOM	07-6HESS-09-ES Wentworth Avenue Work Order #10, Estimate #1	1,536.92
ILLINOIS TOLLWAY	07-A5019-04-RP I-94 at Lake-Cook Road Estimate #1 & Final	222,531.28
AECOM	95-W6606-01-FP Wentworth Avenue – Glenwood Lansing Road To Ridge Road Estimate #28	151,995.89
AECOM	07-6HESS-09-ES 170 st Street/88 th Avenue Work Order #8, Estimate #3 & Final Penny/Dundee to IL-59 Work Order #9, Estimate #2 & Final	3,137.67 3,326.11
Meade Electric Company, Inc	11-8EMIM-39-GM Maintenance Charges June, 2011 11-8EMIM-39-GM Extra work Authorization No. 2011015 Authorization No. 2011020	140,446.00 391.11 149.00
Meade Electric Company, Inc	10-8EMIM-38-GM Extra work	

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	Authorization No. 2010014	1,048.38
	Authorization No. 2010047	92.95
	Authorization No. 2010019	1,151.67
Meade Electric Company, Inc.	09-8EMIM-37-GM	
	Extra work	
	Authorization No. 2009019	677.99
Meade Electric Company, Inc	06-8EMIM-34-GM	6,609.45
	Extra work	
	Authorization No. 2006026 (Final Estimate)	
Village of Deerfield	11-8EMIM-39-GM	
	Water Charges Pump Station No. 4	
	Lake-Cook Road at Metra Railroad	
	Account No. 61-0620	
	From May 19 2011 to July 01 2011	12.70
Central Blacktop Company, Inc.	Section 10-CBITS-04-GM Rebid & Rev	4,829.40
	Bituminous Premix (Cold Patch)	
	Estimate #6	
Arrow Road Construction Company	Section 10-HBITN-04-GM	1,549.78
	Bituminous Material (Hot Patch)	
	Estimate #6	
K-Five Construction Corporation	Section 10-HBITS-04-GM	15,459.14
	Bituminous Material (Hot Patch)	
	Estimate #5	
K-Five Construction Corp.	Section 10-CBITN-04-GM Rebid and Rev.	1,849.26
	Bituminous Premix (Cold Patch)	
	Estimate #5	
Transystems Corporation	05-V6246-10-ES	5,130.68
	Quentin Road	
	Dundee Road to Lake Cook Road	
	Invoice No.56	
	Invoice No. 57	7,324.33
Village of Buffalo Grove	08-A5015-01-ES	5,783.64
	Lake-Cook Road	
	Raupp Boulevard to Hastings Lane	
	Invoice No. 9	
	Invoice No. 10	1,149.39
Preform Traffic Control Systems Ltd.	11-8PVMK-34-GM	263,486.81
	Pavement Markings-2011	
	Estimate No. 1	

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	Estimate No. 2	23,074.93
	Estimate No. 3	4,376.37
A.C. Pavement Striping Company	11-8STIC-32-GM Striping Intersection and Crosswalk – 2011 Estimate No. 1	27,419.28
Western Remac, Inc.	11-8SPAM-32-GM Sign Panel Assembly Maintenance-2011 Estimate No. 3	3,992.48
City of Chicago	05-B7233-02-RS 111 th Street – Halsted Street to Cottage Grove Avenue Estimate No. 6	28,541.83
City of Chicago	06-B4531-02-RS 103 rd Street Western Avenue to Halsted Street Estimate No. 6	532.58
City of Chicago	07-W9629-03-EG Western Avenue Madison Street to Diversey Avenue Estimate No.7	41,527.91
Enterprise TE Products Pipeline Company, LLC	05-B6422-01-FP 183 rd Street La Grange Road to 80 th Avenue Estimate No. 1 and Final	191,532.00
Patrick Engineering Engineering Services	GIS Phase III Section: 07-6GISA-03-ES Version 2 Engineering Services Supplement #2 Invoice #16	9,551.74
Patrick Engineering Engineering Services	GIS Phase III Section: 07-6GISA-03-ES Version 2 Engineering Services Supplement #2 Invoice #17	1,078.97
Holland & Knight, LLP Legal Services	Lake Cook Road Section: 05-A5021-07-RP Various Parcels	24,465.89
Gewalt Hamilton Associates, Inc. Professional Services	Lake Cook Road Section: 05-A5021-07-RP Parcel 0G50013A&B & TE	1,158.50

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	Invoice # 3559.213-11	
Gewalt Hamilton Associates, Inc. Professional Services	Lake Cook Road Section: 05-A5021-07-RP Parcel 0G50006 & TE Invoice # 3559.206-10	992.50
Gewalt Hamilton Associates, Inc. Professional Services	Lake Cook Road Section: 05-A5021-07-RP Parcel 0G50012DED & TE Invoice # 3559.212-18	7,236.03
Wheatland Title Guaranty Company Title Fee	Joe Orr Road Section: 04-B6736-02-LA Parcel 0026 Invoice # 377806	50.00
Wheatland Title Guaranty Company Title Policy	Joe Orr Road Section: 04-B6736-02-LA Parcel 0026 Invoice # 381906	441.50
Linberger & Company, LLC Appraisal Services	Lake-Cook Road Section: 05-A5021-07-RP Parcel 0G50012DED & TE Invoice # 6152011	9,000.00
Larry Paarlberg Land Acquisition	Joe Orr Road Section: 04-B6736-02-LA Parcels 0019A & B	31,622.40
Susan Klinker Land Acquisition	Joe Orr Road Section: 04-B6736-02-LA Parcels 0019A & B	31,622.40
Patricia Ann Paarlberg Land Acquisition	Joe Orr Road Section: 04-B6736-02-LA Parcels 0019A & B	31,622.40
Larry Paarlberg, as executor of the estate of Alma Paarlberg Land Acquisition	Joe Orr Road Section: 04-B6736-02-LA Parcels 0019A & B	121,132.80
Shamrock TBC, Inc. Temporary Easement	88 th Avenue Section: 03-W3017-03-FP TE 967.16	17,770.00

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE HIGHWAY BILLS. THE MOTION CARRIED.

CHAIRMAN DALEY VOTED PRESENT ON PROJECT 98-A5019-03-EG WITH MCDONOUGH ASSOCIATES.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED TO ADJOURN. THE MOTION CARRIED AND THE MEETING WAS ADJOURNED.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTERS NAMED HEREIN:**

Communication Number 312117	Deferred
Communication Number 312118	Deferred
Communication Number 313605	Approved As Amended
Communication Number 313634	Approved As Amended
Communication Number 313635	Approved As Amended
Communication Number 313636	Approved
Communication Number 313637	Approved
Communication Number 313638	Approved
Communication Number 313639	Approved
Communication Number 313640	Approved
Communication Number 313641	Approved As Amended
Communication Number 313644	Approved As Amended
Communication Number 313902	Approved
Communication Number 313903	Approved As Amended

Respectfully submitted,

COMMITTEE ON FINANCE

JOHN P. DALEY, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Daley, seconded by Commissioner Sims, moved that the Report of the Committee on Finance be approved and adopted, as amended. **The motion carried unanimously.**

**REPORT OF THE COMMITTEE ON LEGISLATION
AND INTERGOVERNMENTAL RELATIONS**

September 7, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Suffredin, Vice Chairman Fritchey, Commissioners Beavers, Daley, Gainer, Garcia, Gorman, Goslin, Murphy, Schneider, Sims and Tobolski (12)

Absent: Commissioners Butler, Collins, Reyes, Silvestri and Steele (5)

Also Present: Patrick Driscoll, Jr. – Deputy State’s Attorney, Chief, Civil Actions Bureau; Julianna Stratton – Executive Director, Judicial Advisory Council.

Ladies and Gentlemen:

Your Committee on Legislation and Intergovernmental Relations of the Board of Commissioners of Cook County met pursuant to notice on Wednesday, September 7, 2011 at the hour of 9:30 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

313897 JUDICIAL ADVISORY COUNCIL (APPOINTMENT). Transmitting a Communication dated July 26, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Re: Appointment –Judicial Advisory Council

Please be advised that I hereby appoint Judge Michael Stuttley to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

***Referred to the Legislation and Intergovernmental Relations Committee on 7-27-11.**

Vice Chairman Fritchey, seconded by Commissioner Garcia, moved the approval of Communication No. 313897. The motion carried.

313898 JUDICIAL ADVISORY COUNCIL (APPOINTMENT). Transmitting a Communication dated July 26, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Re: Appointment – Judicial Advisory Council

Please be advised that I hereby appoint Victor P. Henderson to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

***Referred to the Legislation and Intergovernmental Relations Committee on 7-27-11.**

Commissioner Beavers, seconded by Vice Chairman Fritchey, moved the approval of Communication No. 313898. The motion carried.

313899 JUDICIAL ADVISORY COUNCIL (APPOINTMENT). Transmitting a Communication dated July 26, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Re: Appointment – Judicial Advisory Council

Please be advised that I hereby appoint Virginia Martinez to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

***Referred to the Legislation and Intergovernmental Relations Committee on 7-27-11.**

Commissioner Garcia, seconded by Commissioner Murphy, moved the approval of Communication No. 313899. The motion carried.

313900 JUDICIAL ADVISORY COUNCIL (APPOINTMENT). Transmitting a Communication dated July 26, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Re: Appointment – Judicial Advisory Council

Please be advised that I hereby appoint Judge William Hooks to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

***Referred to the Legislation and Intergovernmental Relations Committee on 7-27-11.**

Commissioner Tobolski, seconded by Commissioner Beavers, moved the approval of Communication No. 313900. The motion carried.

313901 NORTHWEST WATER COMMISSION (APPOINTMENT). Transmitting a Communication dated July 26, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Re: Appointment – Northwest Water Commission

Please be advised that I hereby appoint Mr. William Brimm to the Northwest Water Commission for a term to begin immediately and to expire on January 26, 2017.

I submit this communication for your approval.

***Referred to the Legislation and Intergovernmental Relations Committee on 7-27-11.**

Vice Chairman Fritchey, seconded by Commissioner Beavers, moved the approval of Communication No. 313901. The motion carried.

Commissioner Gorman moved to adjourn the meeting, seconded by Commissioner Sims. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication Number 313897

Approved

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Communication Number 313898
Communication Number 313899
Communication Number 313900
Communication Number 313901

Approved
Approved
Approved
Approved

Respectfully submitted,

COMMITTEE ON LEGISLATION AND INTERGOVERNMENTAL RELATIONS

LARRY SUFFREDIN, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Daley, seconded by Commissioner Gorman, moved that the Report of the Committee on Legislation and Intergovernmental Relations be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON RULES & ADMINISTRATION

September 7, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Suffredin, Vice Chairman Gorman, Commissioners Gainer, Schneider and Sims (5)

Absent: Commissioners Daley, Fritchey, Silvestri and Steele (4)

Also Present: Patrick Driscoll, Jr. – Deputy State’s Attorney, Chief, Civil Actions Bureau.

Ladies and Gentlemen:

Your Committee on Rules & Administration of the Board of Commissioners of Cook County met pursuant to notice on Wednesday, September 7, 2011 at the hour of 9:45 .A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

313904 COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of the Proceedings of the meeting held on Tuesday, July 12, 2011.

Vice Chairman Gorman, seconded by Commissioner Sims, moved the approval of Communication No. 313904. The motion carried.

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314124 COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of the Proceedings of the special meeting held on Monday, July 25, 2011.

Vice Chairman Gorman, seconded by Commissioner Sims, moved the approval of Communication No. 314124. The motion carried.

314125 COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of the Proceedings of the meeting held on Wednesday, July 27, 2011.

Vice Chairman Gorman, seconded by Commissioner Sims, moved the approval of Communication Nos. , 314125. The motion carried.

314126 COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of the Proceedings of the special meeting held on Friday, July 29, 2011.

Vice Chairman Gorman, seconded by Commissioner Sims, moved the approval of Communication No. 314126. The motion carried.

Commissioner Sims moved to adjourn the meeting, seconded by Vice Chairman Gorman. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication Number 313904	Approved
Communication Number 314124	Approved
Communication Number 314125	Approved
Communication Number 314126	Approved

Respectfully submitted,

COMMITTEE ON RULES & ADMINISTRATION

LARRY SUFFREDIN, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Daley, seconded by Commissioner Gorman, moved that the Report of the Committee on Rules and Administration be approved and adopted. **The motion carried unanimously.**

PRESIDENT'S OFFICE

REAPPOINTMENT

The following item was deferred at the July 27, 2011 Meeting:

Transmitting a Communication, dated July 26, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: Reappointment –Judicial Advisory Council

Please be advised that I hereby reappoint Justice Anne Burke to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

Commissioner Suffredin, seconded by Commissioner Murphy, moved that the appointment/reappointment by the President be approved. **The motion carried unanimously.**

ORDINANCE AMENDMENT

**11-O-70
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT
OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**Amending Ordinance Number 11-O-69 adopted on the 27th day of
July, 2011, by the Board of Commissioners of The County of Cook,
Illinois.**

WHEREAS, the Board of Commissioners (the “*Board*”) of The County of Cook, Illinois (the “*County*”), heretofore adopted on the 27th day of July, 2011, Ordinance Number 11-O-69 entitled, “An Ordinance providing for the issuance of one or more series of General Obligation Bonds of The County of Cook, Illinois” (the “*Master Bond Ordinance*”); and

WHEREAS, the Master Bond Ordinance authorizes the issuance of one or more series of general obligation bonds of the County to refund from time to time all or a portion of certain “Prior Bonds,” “Refunding Bonds,” or “Project Bonds” (as each term is defined in the Master Bond Ordinance), any such refunded bonds being “Refunded Bonds” under the Master Bond Ordinance; and

WHEREAS, in order to achieve debt service savings for the County or to restructure the debt service burden of the County, in addition to refunding maturities or portions of certain maturities of the Refunded Bonds, the Board hereby determines it is necessary and desirable to authorize the refunding of all or any portion of the installments of interest due on the Prior Bonds, the Refunding Bonds, or, if issued under the Master Bond Ordinance, any Project Bonds; and

WHEREAS, the Master Bond Ordinance also authorizes the County to undertake the Insurance Reserve Project (as defined in the Master Bond Ordinance), and to issue one or more series of general obligation bonds in not to exceed the aggregate par amount of \$60,000,000.00 to pay the costs of the Insurance Reserve Project; and

WHEREAS, the Board hereby expressly determines that it is advisable and necessary that said maximum aggregate par amount be increased from \$60,000,000.00 to \$125,000,000.00; and

WHEREAS, the Board has heretofore and it hereby expressly is determined that it is advisable and necessary to amend the Master Bond Ordinance, for the purposes stated herein, as follows:

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of The County of Cook, Illinois, as follows:

Section 1. Preambles.

Preamble number six of the Master Bond Ordinance is hereby amended as follows:

WHEREAS, it is in the best interests of the County and its citizens and is necessary for the government and affairs of the County to authorize the refunding (the "*Refunding*") from time to time of all or a portion of the Prior Bonds and of all or a portion of any Refunding Bonds or any Project Bonds (defined herein) issued hereunder, or of all or any portion of any installment of interest coming due thereon, all as may be advisable from time to time in order to achieve debt service savings for the County or to restructure the debt service burden on the County; and

Section 2. Bonds Details.

The first paragraph of Section 3 of the Master Bond Ordinance is hereby amended as follows:

To pay the costs of the Purposes, the Bonds shall be issued from time to time in one or more Series, all as may be determined by the Chief Financial Officer, *provided that* (i) the aggregate principal amount of any Refunding Bonds issued pursuant to this Ordinance shall not exceed \$425,000,000; (ii) the aggregate principal amount of the Insurance Reserve Project Bonds, if any, issued pursuant to this Ordinance shall not exceed 125,000,000; (iii) the aggregate principal amount of the Restructuring Project Bonds, if any, issued pursuant to this Ordinance shall not exceed \$120,000,000, and (iv) the aggregate principal amount of the Capital Project Bonds, if any, issued pursuant to this Ordinance shall not exceed \$295,000,000, *provided* such authorized aggregate amount of Capital Project Bonds, if any, shall be subject to reduction to the amount necessary to pay the costs of the Capital Projects as may be hereafter approved by the Corporate Authorities for the Capital Projects, plus capitalized interest, if any, and costs of issuance. The Bonds shall be designated substantially as "[Taxable] General Obligation [Variable Rate Demand] [Refunding] [Capital Appreciation] Bonds, Series 201___," with such additions or modifications as shall be determined to be necessary by the Chief Financial Officer at the time of the sale of the Bonds to reflect the purpose of the issue, the order of sale of the Bonds, whether the Bonds are Current Interest Bonds, Variable Rate Bonds, Capital Appreciation Bonds or Convertible CABs, and any other authorized features of the Bonds determined by the Chief Financial Officer as desirable to be reflected in the title of the Bonds being issued and sold.

Section 3. Sale of the Bonds; Bond Orders.

Sections 11.A. and 11.B. of the Mater Bond Ordinance are hereby amended as follows:

A. SALE OF THE BONDS. The Chief Financial Officer is hereby authorized to sell all or any portion of the several Series of the Bonds to the respective Underwriters from time to time on such terms as he or she may deem to be in the best interests of the County and may elect to designate all or any portion of the several Series of the Bonds as Tax Advantaged Bonds (or such other title or designation as the Chief Financial Officer shall deem appropriate at the time of sale) and to have such provisions under the Code or the Regulations as shall be required for such Tax Advantaged Bond status to apply to same; *provided that* (i) in each case the Purchase Price shall be at least ninety-eight percent (98%) of the

proceeds of the Bonds (exclusive of any net original issue discount used in the marketing of the Bonds, not to exceed 10% of the principal amount thereof), plus accrued interest, if any, on the Bonds from their Dated Date to the date of their issuance, (ii) the aggregate amount of principal of and interest on and Maturity Amount of the Bonds (based, for Variable Rate Bonds, on the reasonable estimate of the Chief Financial Officer as hereinabove provided) in any year shall not exceed the aggregate amount levied therefore pursuant hereto plus capitalized interest, if any, and (iii) as an additional limitation on the sale of the Refunding Bonds, incidental to the sale of any Series of Refunding Bonds, the Financial Advisor must provide a certificate or report setting forth that (a) the issuance of such Refunding Bonds to refund each maturity, or part of a maturity, of the Refunded Bonds which are chosen to be refunded will provide a minimum net present value savings to the County of three percent (3.00%) of the debt service on the Refunded Bonds being refunded, or (b) the Refunding of the Refunded Bonds which are chosen to be refunded will restructure the debt service burden of the County, or (c) the issuance of such Refunding Bonds to pay all or a portion of any installment of interest coming due on any of the Prior Bonds, Refunding Bonds or Project Bonds will restructure the debt service burden of the County. The Bonds may be sold from time to time as the Chief Financial Officer shall determine that the proceeds of such sales are needed. Nothing contained in this Ordinance shall limit the sale of the Bonds or any maturity or maturities thereof at a price or prices in excess of the principal amount thereof.

B. BOND ORDERS. Subsequent to each such sale of the Bonds, the Chief Financial Officer shall file in the office of the County Clerk a Bond Order directed to the Corporate Authorities identifying (i) the terms of the sale, (ii) the amount of the Bonds being sold as Capital Appreciation Bonds, Convertible CABs or Current Interest Bonds, (iii) the amount of Bonds being sold as Variable Rate Bonds and attaching the related Indenture or Indentures, (iv) the Dated Date of the Bonds sold, (v) the aggregate principal amount of Bonds sold, (vi) the principal amount of Bonds maturing and subject to mandatory redemption in each year, (vii) the optional redemption provisions applicable to the Bonds sold, (viii) the specific maturities and principal amounts of Refunded Bonds and the amounts, if any, of installments of interest coming due on any Prior Bonds, Refunding Bonds or Project Bonds to be refunded with the proceeds of the Bonds sold, (ix) the date on and price at which the Refunded Bonds shall be redeemed (if such redemption shall occur prior to the maturity date thereof or pursuant to mandatory redemption, (x) the financing team, including each Bond Counsel, Financial Advisor, Trustee and Underwriter and, for each Series of Refunding Bonds, the Escrow Agent or Escrow Agents designated in connection with the refunding of the relevant Refunded Bonds, (xi) with respect to any Capital Appreciation Bonds being sold, the Original Principal Amounts of and Yields to Maturity on such Capital Appreciation Bonds and a table of Compound Accreted Values per \$5,000 Compound Accreted Value at Maturity for such Capital Appreciation Bonds, setting forth the Compound Accreted Value of each such Capital Appreciation Bond on each semiannual compounding date, (xii) the interest rate or rates on any Current Interest Bonds sold, or, in the case of any series of Variable Rate Bonds the estimated rate used to determine the Pledged Taxes for such Variable Rate Bonds and a description (which shall be in the relevant Indenture therefore) of the methods of determining the interest rate applicable to such Variable Rate Bonds from time to time and the identity of any remarketing agent retained in connection with the issuance of Variable Rate Bonds, (xiii) the identity of any Insurer, (xiv) the portion, if any, of the Bonds which are not Tax Exempt, (xv) the portion, if any, of the Bonds which are Tax Advantaged Bonds, (xvi) the identity of any provider of a Credit Facility, and (xvii) the information regarding the title and Series designation of the Bonds, together with any other matter authorized by this Ordinance to be determined by the Chief Financial Officer at the time of sale of the Bonds, and thereafter the Bonds so sold shall be duly prepared and executed in the form and manner provided herein and delivered to the respective Underwriters in accordance with the terms of sale.

Section 4. Prior Inconsistent Proceedings.

All Ordinances, Resolutions, motions or orders, or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict hereby repealed.

Section 5. Passage and Approval.

PRESENTED, PASSED, APPROVED AND RECORDED, by The County of Cook, Illinois, a home rule unit of government, this 7th day of September, 2011.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Butler, moved that the Ordinance be approved and adopted. **The motion carried unanimously.**

Commissioner Beavers voted "no".

Commissioner Garcia voted "no".

DEPARTMENT OF BUILDING AND ZONING

WAIVER OF PERMIT FEES

Transmitting a Communication, dated August 9, 2011 from

DONALD H. WLODARSKI, Commissioner, Department of Building and Zoning

respectfully request the granting of the following No Fee Permits for the Chicago Zoological Society/Brookfield Zoo to the following buildings at 3300 South Golf Road, Brookfield, Illinois, in Proviso Township, County Board District #16.

<u>PERMIT NO.</u>	<u>PROPERTY</u>	<u>DESCRIPTION</u>	<u>WAIVER AMOUNT</u>
110766	Discovery Center	Upgrade Ansul System	\$52.50
110767	Safari Grill	Upgrade Ansul System	\$52.50
110768	Scoops	Upgrade Ansul System	\$52.50
110769	Children's Zoo	Overhead electric service to underground	\$67.88
110909	Kettle Corn Tent	Install 20 amps circuits	\$177.25

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101746	Administrative & Animal Housing Building	Boiler replacement	\$6,779.55
111157	Rice Center	Replace Roof	\$3,000.00

This request is pursuant to the County Board's adoption of Ordinance No. 91-O-45 on September 16, 1991 that all building and zoning permit fees be waived for public entities defined as county, township, municipality, municipal corporation, school district, forest preserve district, park district, fire protection district, sanitary district, library district and all other local governmental bodies.

Estimated Fiscal Impact: \$10,182.58.

100% WAIVED REQUESTS TO BE APPROVED:	\$10,182.58
100% WAIVED REQUESTS APPROVED FISCAL YEAR 2011 TO PRESENT:	\$79,519.65

Commissioner Silvestri, seconded by Commissioner Murphy, moved that the permit fees be waived. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated August 8, 2011 from

DONALD H. WLODARSKI, Commissioner, Department of Building and Zoning

respectfully request the granting of a 10% Reduced Fee Permit for Oak-Leyden Developmental Services for interior remodel of existing group home at 2101 Kirschhoff Avenue, Melrose Park, Illinois, in Leyden Township, County Board District # 16.

Permit #:	110344
Total Fee Amount:	\$1,286.25
Requested Waived Fee Amount 90%:	\$1,157.62
Amount Due 10%:	\$128.63

This request is pursuant to the County Board's adoption of Ordinance No. 91-O-45 on September 16, 1991 that valid not-for-profit organizations be required to pay ten percent 10% of the standard permit fee as established by Ordinance.

Estimated Fiscal Impact: \$1,157.62

90% WAIVED REQUESTS TO BE APPROVED:	\$1,157.62
90% WAIVED REQUESTS APPROVED FISCAL YEAR 2011 TO PRESENT:	\$29,618.50

Commissioner Silvestri, seconded by Commissioner Murphy, moved that the permit fees be waived. **The motion carried unanimously.**

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* * * * *

Transmitting a Communication, dated August 8, 2011 from

DONALD H. WLODARSKI, Commissioner, Department of Building and Zoning

respectfully request the granting of a 10% Reduced Fee Permit for Loyola University and Medical Center for interior remodel and emergency room expansion at 2160 South First Avenue, Maywood, Illinois, in Proviso Township, County Board District # 1.

Permit #:	110392
Total Fee Amount:	\$80,832.61
Requested Waived Fee Amount 90%:	\$72,749.35
Amount Due 10%:	\$8,083.26

This request is pursuant to the County Board's adoption of Ordinance No. 91-O-45 on September 16, 1991 that valid not-for-profit organizations be required to pay ten percent 10% of the standard permit fee as established by Ordinance.

Estimated Fiscal Impact: \$72,749.35.

Commissioner Silvestri, seconded by Commissioner Murphy, moved that the permit fees be waived. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated August 8, 2011 from

DONALD H. WLODARSKI, Commissioner, Department of Building and Zoning

respectfully request the granting of a 10% Reduced Fee Permit for Michael Finley Foundation for carnival/music fest at 807 South First Avenue, Maywood, Illinois in Proviso Township, County Board District # 1.

Permit #:	111213
Total Fee Amount:	\$3,064.88
Requested Waived Fee Amount 90%:	\$2,758.39
Amount Due 10%:	\$306.49

This request is pursuant to the County Board's adoption of Ordinance No. 91-O-45 on September 16, 1991 that valid not-for-profit organizations be required to pay ten percent 10% of the standard permit fee as established by Ordinance.

Estimated Fiscal Impact: \$2,758.39.

90% WAIVED REQUESTS TO BE APPROVED:

\$2,758.39

90% WAIVED REQUESTS APPROVED FISCAL YEAR 2011 TO PRESENT: \$105,126.24

Commissioner Silvestri, seconded by Commissioner Murphy, moved that the permit fees be waived. **The motion carried unanimously.**

OFFICE OF CAPITAL PLANNING AND POLICY

AGREEMENT

Transmitting a Communication, dated August 29, 2011 from

MARIA SALDAÑA, Bureau Chief, Bureau of Economic Development

I hereby transmit for your approval a request for the Office of Capital Planning and Policy, as authorized by the Cook County Purchasing Agent, to participate in the City of Chicago (the “City”) Job Order Contract (JOC) program to complete the 16 capital projects listed below (the “Projects”). JOC is a quantity based procurement process that allows facility owners to complete a multitude of repair/maintenance and construction projects with a single, competitively bid contract. The JOC process generally involves first selecting a pool of potential contractors through a competitive procurement process, and then identifying projects for such selected contractors.

The City has already completed a JOC competitive procurement process, and it has created the pool of general contractors to perform certain projects generally associated with maintenance, repairs, and routine work. Participating in, or “piggy backing” on the City’s existing JOC contract would allow the County to enjoy the myriad cost savings achieved through volume purchases.

The JOC program has an administrative component managed by the Gordian Group. The Gordian Group maintains an area price book, which captures the prices for specific construction work items within this region. JOC contractors bid against the prices included in the price book. The cost, therefore, of any work performed by the contractor is a contractor markup from the price book. The Gordian Group would receive a 2% administrative fee from Cook County based on the total project cost of the work.

I specifically request authorization for the Purchasing Agent, on behalf of the Office of Capital Planning and Policy, to:

- b. Enter into and execute an agreement with the Gordian Group on the same terms as, and actively participate in, the City’s JOC agreement for the coordination and administrative management of the Job Order Contracting program;
- c. Do all such acts and things and to execute all contracts necessary to complete the Projects using vendors selected through the City’s JOC program.
- d. The following projects would be included and assigned by the Gordian Group to participating JOC contractors:
 - a. Remove and Replace Air Dryers at Stroger Hospital
 - b. Remove and Replace Lime in Basins at Stroger Hospital
 - c. Boiler Room Valve Replacement at OFH

- d. Descale Powerhouse Boilers 1, 2 & 3 at OFH
- e. Powerhouse Refrigeration Air Dryer
- f. Replacement of Running Track at DOC Boot Camp
- g. Repaving and Striping at Division XI Parking Lot
- h. Stroger Hospital - Surface Lot Parking
- i. New Exterior Doors at Fantus Clinic
- j. Remove and Replace West Storefront and Entrance Door at Bridgeview
- k. Maywood Fire Pump and Exterior Fire Bell Replacement
- l. Maywood Courthouse Supply Fan Repair/Replacement
- m. Provident Hospital Dock Repairs
- n. Cafeteria Hot Food Table Replacement at Stroger Hospital
- o. Brick Retaining Wall Project at the DOC
- p. Stroger Hospital Polymer Epoxy Flooring

Estimated Fiscal Impact: \$5,911,435. Contract period: September 7, 2011 through August 31, 2012.

9000 County Building, 20000 County Physical Plant, 28000 Cook County Health and Hospitals, 33000 Oak Forest Hospital.

The approved capital projects listed above that pertain to the Cook County Health & Hospitals System were approved by the Finance Committee of the Cook County Health & Hospitals System Board at their August 19, 2011 meeting.

The Purchasing Agent concurs.

Commissioner Butler, seconded by Commissioner Silvestri, moved that the County Purchasing Agent be authorized to enter into the requested agreement. **The motion carried unanimously.**

PERMISSION TO ADVERTISE

Transmitting a Communication, dated August 5, 2011 from

HERMAN BREWER, Director, Office of Capital Planning and Policy

requesting authorization for the Purchasing Agent to advertise for bids for the Oak Forest Hospital of Cook County Greenhouse Demolition Project.

To demolish the Greenhouse on the Oak Forest campus, maintain the utility tunnel access, and relocate the existing electrical panels.

33000 Oak Forest Hospital.

This item was approved by the Finance Committee of the Cook County Health & Hospitals System Board at their August 19, 2011 meeting.

The Purchasing Agent concurs.

Commissioner Butler, seconded by Commissioner Silvestri, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

CHANGE ORDER

Transmitting a Communication, dated August 5, 2011 from

HERMAN BREWER, Director, Department of Planning and Development
Bureau of Economic Development

transmitted herewith for your approval is Change Order No. 6 a credit in the amount of (\$14,497.13) to Contract No. 07-53-550 with Ideal Heating Company, Brookfield, Illinois, for the Oak Forest Hospital of Cook County and Provident Hospital of Cook County Pharmacy HVAC Upgrade Project. It is respectfully requested that this Honorable Body approve this request.

Reason: Work not performed associated with the relocation of the chemotherapy biohazard cabinet in room J-22 at Oak Forest Hospital. This work was previously approved under Change Order No. 4.

Contract No. 07-53-550

Original Contract Sum:	\$1,164,000.00
Total Changes to-date:	<u>188,678.00</u>
Adjusted Contract to-date:	\$1,352,678.00
Amount of this Modification:	<u>(\$14,497.13)</u>
Adjusted Contract Sum:	\$1,338,180.87

Estimated Fiscal Impact: (\$14,497.13). Contract extension: None.

28000 Cook County Health & Hospitals

This item was approved by the Finance Committee of the Cook County Health & Hospitals System Board at their August 19, 2011 meeting.

Commissioner Butler, seconded by Commissioner Silvestri, moved that the request of the Director of the Department of Planning and Development Bureau of Economic Development be approved. **The motion carried unanimously.**

CLERK OF THE CIRCUIT COURT

TRANSFER OF FUNDS

Transmitting a Communication, dated August 15, 2011 from

DOROTHY A. BROWN, Clerk of the Circuit Court

JOURNAL OF PROCEEDINGS FOR SEPTEMBER 7, 2011

requesting approval from the Board of Commissioners to transfer funds totaling \$15,000.00 from Account 335-240, Printing and Publishing to Account 335-268, Court Reporting to cover the cost of court reporting and transcription services for the remainder of the fiscal year.

Reason: The funds are needed to pay for court reporter and transcription services needed for the remainder of the fiscal year.

From Account 335-240	Total	\$15,000.00
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To Account 335-268	Total	\$15,000.00
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1. On what date did it become apparent that the receiving account would require an infusion of funds in order to meet current obligations? What was the balance in the account on that date, and what was the balance 30 days prior to the date?

On June 13, 2011 it became apparent that the receiving account would require an infusion of funds. The balance in the account at that time was \$19,552.00 and the balance 30 days prior to that was \$23,205.00.

2. How was the account used for the source of transferred funds identified? List any other accounts that were also considered (but not used) as the source of the transferred funds.

Account 335-240 was identified as the source of transferred funds since the FY 2011 budgeted amount of \$50,000.00 for rubber stamps (draw down contract) will not be fully needed in FY 2011. The current contract has sufficient funds for the remainder of the fiscal year, hence, the availability of funds for the transfers.

3. Identify any projects, purchases, programs, contracts, or other obligations that will be deferred, delayed, or canceled as a result of the reduction in available spending authority that will result in the account that funds are transferred from Account 335-240.

None.

4. If the answer to the above question is "none" then please explain why this account was originally budgeted in a manner that caused an unobligated surplus to develop at this point in the fiscal year.

The actual cost to procure new rubber stamps was less than anticipated resulting in excess funds that are sufficient to meet the rubber stamps needs for the remainder of the fiscal year, hence, the availability of funds for the transfer.

Commissioner Collins, seconded by Commissioner Sims, moved that the request of the Clerk of the Circuit Court be approved. **The motion carried unanimously.**

OFFICE OF THE COUNTY CLERK

CONTRACT

Transmitting a Communication, dated August 16, 2011 from

DAVID ORR, County Clerk
by
CLEM BALANOFF, Deputy Clerk

requesting authorization for the Purchasing Agent to enter into a contract with InterDyn-LANAC Technology (InterDyn), Chicago, Illinois, to provide service for various revisions, alterations and integrations with other applications in order to maintain and improve the cashiering and accounting application.

Reason: This is a sole source maintenance agreement for support of the Microsoft Dynamics Great Plains, Microsoft Dynamics Retail Management System, Altec's Doc-Link and Accellos warehouse management systems that were installed and customized by the vendor.

Estimated Fiscal Impact: \$84,000.00. (FY 2012: \$34,000.00; FY 2013: \$25,000.00; and FY 2014: \$25,000.00). Contract period: December 1, 2011 through November 30, 2014. (533-260 Account).

Sufficient Funds are available in the County Clerk Automation Fund.

The Chief Information Officer has reviewed this item and concurs with this recommendation.

Commissioner Fritchey, seconded by Commissioner Murphy, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

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Transmitting a Communication, dated August 16, 2011 from

DAVID ORR, County Clerk
by
CLEM BALANOFF, Deputy Clerk

requesting authorization for the Purchasing Agent to enter into a contract with Catalyst Consulting Group, Inc., Chicago, Illinois, for service, maintenance and hosting of web applications.

Reason: This is a sole source agreement for maintenance of various applications which are proprietary to Catalyst Consulting Group.

Estimated Fiscal Impact: \$225,000.00 [*\$175,000.00 - (524-260 Account); and **\$50,000.00 - (533-260 Account)]. Contract period: December 1, 2011 through November 30, 2012.

*Sufficient funds are available in the County Clerk Election Division Fund.

**Sufficient funds are available in the County Clerk Automation Fund.

The Purchasing Agent concurs.

Vendor has met the Minority and Women Business Enterprise Ordinance.

The Chief Information Officer has reviewed this item and concurs with this recommendation.

Commissioner Fritchey, seconded by Commissioner Murphy, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

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Transmitting a Communication, dated August 16, 2011 from

DAVID ORR, County Clerk
by
CLEM BALANOFF, Deputy Clerk

requesting authorization for the Purchasing Agent to enter into a contract with Major Scale Technology Management, Inc., Oak Park, Illinois, for information technology management services (ITMS).

Reason: Major Scale Technology Management is the provider for the following of the County Clerk's IT projects: Lead Liaison to State Board of Elections to jointly develop a Statewide Voter Registration Management System (in lieu of the Clerk developing and purchasing for its own), Election Technology Consultation and Sequoia Voting Systems Contract Management, Election Technology Consultation and Election Software and Systems Contract Management, Web-Based Application Infrastructure Project, Technology and Application Support Infrastructure Analysis and Possible Implementation, Information Technology Services Contract Management and Forensic Analysis Contract Management.

Estimated Fiscal Impact: \$450,000.00 [*\$350,000.00 - (524-260 Account); and **\$100,000.00 (533-260 Account)]. Contract period: December 1, 2011 through November 30, 2012.

*Sufficient funds are available in the County Clerk Election Division Fund.

**Sufficient funds are available in the County Clerk Automation Fund.

Vendor has met the Minority and Women Business Enterprise Ordinance.

The Chief Information Officer has reviewed this item and concurs with this recommendation.

Commissioner Fritchey, seconded by Commissioner Murphy, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

OFFICE OF THE COUNTY COMPTROLLER

REPORT

Transmitting a Communication, dated August 11, 2011 from

TARIQ G. MALHANCE, Chief Financial Officer
and
CONSTANCE M. KRAVITZ, CPA, Comptroller

submitting the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending November 30, 2010.

submitting herewith a copy of Cook County's Comprehensive Annual Fiscal Report (CAFR) for the fiscal year ending November 30, 2010, prepared by the Cook County Comptroller and audited by Deloitte & Touche, LLP. Respectfully request that the report be referred to the Cook County Board's Audit Committee for further consideration.

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be referred to the Audit Committee. (Comm. No. 314394). **The motion carried unanimously.**

BUREAU OF ECONOMIC DEVELOPMENT

HOME INVESTMENT PARTNERSHIPS PROGRAM

Transmitting a Communication, dated August 5, 2011

HERMAN BREWER, Director, Office of Capital Planning and Policy

Transmitted herewith is a request for approval of a HOME Investment Partnerships Program (HOME) Project Loan in the amount of \$3,000,000.00 to Bravo Properties, Oak Brook, Illinois, or any legal entity in formation by Bravo Properties. This project loan will be utilized to support HOME-eligible project costs incurred during the development of a 125-unit new construction rental housing project in Lansing containing 21 HOME-assisted units. This project, the St. Anthony of Lansing Supportive Living Facility, will serve disabled senior citizens. As this project will include a supportive services component, it is classified as supportive housing.

The total development cost (TDC) is \$29,579,482.00. The requested HOME funding accounts for 10.1 percent of the TDC.

The requested HOME funding would subsidize the project via a deferred loan.

I respectfully request approval of this project, and that the Bureau Chief of Economic Development or his/her designee be authorized to execute, on behalf of the County of Cook, any and all documents necessary to further the project approved herein, including, but not limited to, funding agreements, intergovernmental agreements, amendments and modifications thereto, loan documents, lien assignments, releases of mortgages and liens, and mortgage assumptions. The approval of this project by the Honorable Body will permit staff to issue necessary commitments to allow this project to move forward.

Fiscal Impact: None. Loan Award: \$3,000,000.00. (772-298 Account).

Commissioner Garcia, seconded by Commissioner Murphy, moved that the communication be referred to the Real Estate and Business and Economic Development Subcommittee. (Comm. No. 314403). **The motion carried unanimously.**

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Transmitting a Communication, dated August 5, 2011

HERMAN BREWER, Director, Office of Capital Planning and Policy

Transmitted herewith is a request for approval of a HOME Investment Partnerships Program (HOME) Project Loan in the amount of \$2,700,000.00 to Mark IV Realty Group, Chicago, Illinois, or any legal entity in formation by Mark IV Realty Group. This project loan will be utilized to support HOME-eligible project costs incurred during the development of a 72-unit new construction rental housing project in Northlake containing 18 HOME-assisted units. This project, Wisdom Village of Northlake, will serve senior citizens.

The total development cost (TDC) is \$17,134,863.00. The requested HOME funding accounts for 15.8 percent of the TDC.

The requested HOME funding would subsidize the project via a 1% interest-only loan amortized over 30 years.

I respectfully request approval of this project, and that the Bureau Chief of Economic Development or his/her designee be authorized to execute, on behalf of the County of Cook, any and all documents necessary to further the project approved herein, including, but not limited to, funding agreements, intergovernmental agreements, amendments and modifications thereto, loan documents, lien assignments, releases of mortgages and liens, and mortgage assumptions. The approval of this project by the Honorable Body will permit staff to issue necessary commitments to allow this project to move forward.

Fiscal Impact: None. Loan Award: \$2,700,000.00. (772-298 Account).

Commissioner Garcia, seconded by Commissioner Murphy, moved that the communication be referred to the Real Estate and Business and Economic Development. (Comm. No. 314404). **The motion carried unanimously.**

DEPARTMENT OF FACILITIES MANAGEMENT

CONTRACT ADDENDUM

Transmitting a Communication, dated July 8, 2011 from

JAMES D'AMICO, Director, Department of Facilities Management

requesting authorization for the Purchasing Agent to increase by \$6,900.00 Open Market Purchase #10-53-2652 with Corporate Cleaning Service, Chicago, Illinois, for window washing services.

Open Market Purchase approved amount 05-10-11:	\$55,200.00
Increase requested:	<u>6,900.00</u>
Adjusted amount:	\$62,100.00

Reason: The existing Davit System at the Juvenile Temporary Detention Center is damaged, considered unsafe and needs replacement. A Capital request has been submitted for Fiscal Year 2012. The cost for window washing at this facility was calculated based on using the Davit System from

the site inspection conducted during the bid process. Additional equipment is now required of the contractor to perform the same services. The increase requested covers the cost for the length of the two year contract but will not be used once the Davit System is repaired and re certified. The expiration date of the current contract is May 9, 2013.

Estimated Fiscal Impact: \$6,900.00. (215-235 Account)

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to increase the requested contract. **The motion carried unanimously.**

DEPARTMENT OF ENVIRONMENTAL CONTROL

GRANT AWARD RENEWAL

Transmitting a Communication, dated August 9, 2011 from

DEBORAH STONE, Director, Department of Environmental Control

requesting authorization to renew a grant in the amount of \$254,316.00 from the United States Environmental Protection Agency, Region V, Chicago, Illinois. This grant renewal will provide funding for the continued operation and maintenance of 19 specialized air pollution monitoring sites in Cook County pursuant to the Illinois Environmental Protection Agency Air Monitoring Plan for 2011-2012. These sites measure the 2.5 micron-sized particles suspended in the air as part of an air quality plan requirement from the USEPA and are part of a research project to determine the quantity and composition of these very small particles in the urban air.

The authorization to accept the previous grant was given on June 15, 2010 by the Cook County Board of Commissioners in the amount of \$278,005.00.

Estimated Fiscal Impact: None. Grant Award: \$254,316.00. Funding period: April 1, 2011 through March 31, 2012.

The Budget Department has received all requisite documents, and determined the fiscal impact on Cook County, if any.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Gorman, seconded by Commissioner Silvestri, moved that the request of the Director of the Department of Environmental Control be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

SHERIFF'S DEPARTMENT OF FISCAL ADMINISTRATION AND SUPPORT SERVICES

GRANT AWARD RENEWAL

Transmitting a Communication, dated August 16, 2011 from

THOMAS J. DART, Sheriff of Cook County

by

KURT F. SCHMID, Executive Director, Chicago HIDTA

requesting authorization to renew a grant in the amount of \$3,129,175.00 from the Office of National Drug Control Policy. The purpose of the grant is to continue funding of the Chicago High Intensity Drug Trafficking Area (HIDTA).

The authorization to accept the previous grant was given on May 18, 2010 by the Cook County Board of Commissioners in the amount of \$5,518,799.00.

Estimated Fiscal Impact: None. Grant Award: \$3,129,175.00. Funding period: January 1, 2011 through December 31, 2012.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Reyes, seconded by Commissioner Butler, moved that the request of the Executive Director of the Chicago HIDTA be approved. **The motion carried unanimously.**

INTERGOVERNMENTAL AGREEMENT

Transmitting a Communication, dated August 1, 2011 from

THOMAS J. DART, Sheriff of Cook County

by

ALEXIS A. HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Cook County Sheriff and Lyons Township and Lyons Township Highway Commissioner, to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Reyes, seconded by Commissioner Butler, moved that the request of the Chief Financial Officer be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

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Transmitting a Communication, dated August 1, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS A. HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Cook County Sheriff and Hanover Township and Hanover Township Road District, to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Reyes, seconded by Commissioner Butler, moved that the request of the Chief Financial Officer be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

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Transmitting a Communication, dated August 1, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS A. HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Cook County Sheriff and Orland Township and Orland Township Highway Commissioner, to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Reyes, seconded by Commissioner Butler, moved that the request of the Chief Financial Officer be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

HIGHWAY DEPARTMENT

CONTRACT

Transmitting a Communication from

JOHN J. BEISSEL, P.E., Acting Superintendent of Highways

requesting authorization to enter into an agreement with Ogden Construction & Reliable Asphalt, Chicago, Illinois. City of Chicago Contract No. 17005. Asphalt Primers, Hot Mix Asphalt, High Performance Cold Patch, Hot Pour Joint Sealer and Colored Asphalt Surface Treatment.

Reason: Cook County Highway Department wishes to purchase from a contract that was awarded by the City of Chicago for Cold Patch. Due to the high volume of repairs required during the freeze-thaw cycles and extreme weather conditions impacting the conditions of our pavement, 1600 tons of Cold Patch material is needed.

Estimated Fiscal Impact: \$159,984.00. North Area (800 Tons) Fiscal Impact: \$84,032.00. South Area (800 Tons) Fiscal Impact: \$75,952.00. Contract period: September 15, 2011 through February 29, 2012. (600-600 Account).

The Purchasing Agent concurs.

Commissioner Sims, seconded by Commissioner Murphy, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

CONTRACT ADDENDUM

Transmitting a Communication from

JOHN J. BEISSEL, P. E., Acting Superintendent of Highways

requesting authorization for the Purchasing Agent to increase by \$95,000.00, Contract No. 09-53-100 with World Fuel Services Texdor Division, Riverside, Illinois, for the purchase of diesel and unleaded fuel.

Board approved amount 07-02-09:	\$3,309,744.73
Previous increase approved 04-20-11:	250,000.00
Increase requested:	<u>95,000.00</u>
Adjusted amount:	\$3,654,744.73

Reason: This increase will allow for sufficient time for processing and award of a Countywide contract. The contract extension was approved at the July 12, 2011 Board Meeting.

Estimated Fiscal Impact: \$95,000.00. (500-445 Account).

The Purchasing Agent concurs.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Sims, seconded by Commissioner Murphy, moved that the County Purchasing Agent be authorized to increase the requested contract. **The motion carried unanimously.**

CONTRACT RENEWAL

Transmitting a Communication from

JOHN J. BEISSEL, P.E., Acting Superintendent of Highways

respectfully recommend that your Honorable Body approve a renewal for one (1) year of the contract for Bituminous Material (Hot Patch) for the South and Central Area – 2010 known as 10-HBITS-04-GM. This maintenance contract consists of Bituminous Material (Hot Patch) used by the Bureau of Maintenance for the purpose of maintaining the Cook County highway system.

On September 1, 2010 the Highway Department entered into a contract with K-Five Construction Corporation for Bituminous Material (Hot Patch) for the South and Central Zones. The contract period was September 1, 2010 through August 31, 2011 with an option to renew for twelve (12) months.

The Highway Department requests permission to renew this contract and amend the quantity from 1500 tons to 2700 tons, and extending the period to August 31, 2012.

The reason for this request is to ensure the continuous safe travel of the motoring public by repairing the increasing number of pavements deteriorated and detrimentally impacted by severe weather conditions.

K-Five Construction Corporation has agreed to this contract renewal with the following terms; the rate of \$61.00 per ton, the quantity of 2700 tons, the period ending August 31, 2012.

Estimated Fiscal Impact: \$164,700.00. Contract period: September 30, 2011 through August 31, 2012. (600-600 Account).

The Purchasing Agent concurs.

Commissioner Sims, seconded by Commissioner Murphy, moved that the County Purchasing Agent be authorized to renew the requested contract. **The motion carried unanimously.**

SUPPLEMENTAL AGREEMENT

Transmitting a Communication, dated August 17, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Highway Authority Agreement along with
an attached Supplemental Agreement
Fifth Third Bank
1804 West Northwest Highway
at Wilke Road (CH V68)
Village of Arlington Heights
Fiscal Impact: None
In the County Board District #14

The Department of Highways submits for execution three (3) copies of a Highway Authority Agreement along with a Supplemental Agreement with Fifth Third Bank for facilities at 1804 West Northwest

Highway, the intersection of Northwest Highway at Wilke Road (CH V68), in the Village of Arlington Heights. This two-agreement approach became necessary when the Illinois Administrative Code was amended to provide that all future Tiered Approach to Corrective Action Objectives Agreements be based upon a State-mandated form. The Supplemental Agreement contains greater protections for Cook County than the state form and together they are considered as a single "Agreement".

The Agreement has been prepared in compliance with Illinois Environmental Protection Agency (IEPA) directives toward a tiered approach in dealing with petroleum contamination to soils. For contaminate concentrations which are of low levels, Tier 1 residential remediation, the IEPA allows for their remaining in place subject to certain conditions which are, in part, that pumping of potable water in the location be prohibited, that excavators in the location be informed of the proscribed status for material handling and that any excavated material be properly disposed. The IEPA requirements also call for these Agreements to, by reference, be recorded against the property.

The location listed as subject for Highway Authority Agreements is, in part, located along a County highway and so being, the County has control of the right-of-way through the Highway Department Permit Office. The County, by executing the Agreement, will agree to restrict the extraction of potable water from this location, inform Permittees of the proscribed status of the referenced location and require that Permittees properly dispose of excavated soil.

The Agreement further indemnifies and holds the County harmless from liabilities and damages arising from the petroleum contamination; as well as makes provisions for reimbursement of expenses incurred by the County should the Highway Department be required in the course of normal maintenance to expose and dispose of contaminated soils.

The Agreement was prepared following a Cook County State's Attorney's Office prepared Standard Agreement and has been examined and approved by this Department and the State's Attorney's Office. It is respectfully requested that, should your Honorable Body concur in this recommendation, the resolution be adopted and the Agreement executed and that an executed copy of the Agreement be returned to Fifth Third Bank for further processing and forwarding to the Illinois Environmental Protection Agency.

11-R-281

RESOLUTION

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

Resolved, by the members of the Board of Commissioners of Cook County, Illinois, on behalf of the County of Cook, to authorize and direct its President to execute, by original signature or his authorized signature stamp, three (3) copies of a Highway Authority Agreement along with Supplemental Agreement with Fifth Third Bank, submitted hereto and made part hereof, wherein, on highways under Cook County jurisdiction, adjacent to Fifth Third Bank owned facilities and subject to said Agreements for Tier1 residential remediation objectives the County of Cook shall prohibit the extraction of potable water from its right-of-way and shall notify Permittees of proscribed status and requirements at the following location as part of its Highway Department Permit process.

Resolved, that the following location is approved as being subject to HIGHWAY AUTHORITY AGREEMENT along with a SUPPLEMENTAL AGREEMENT:

1804 West Northwest Highway at Wilke Road (CH V68)
Village of Arlington Heights

Resolved, and accepted; that Fifth Third Bank indemnifies and holds the County of Cook harmless from damages and liabilities arising from the presence of contaminants in County of Cook right-of-way; and, that the reimbursement procedure be accepted for the County of Cook to be reimbursed for costs incurred should, in the course of normal highway maintenance, the County of Cook be required to excavate and dispose of contaminated soils.

Resolved, that the Department of Highway is directed to take the necessary action called for in the HIGHWAY AUTHORITY AGREEMENT along with SUPPLEMENTAL AGREEMENT and to return one (10 executed copy of the Agreements to Fifth Third Bank.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Murphy, moved that the Supplement Agreement Resolution be approved and adopted. **The motion carried unanimously.**

INTERGOVERNMENTAL AGREEMENT

Transmitting a Communication, dated August 17, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Intergovernmental Agreement
with the Village of Tinley Park
Oak Forest Avenue – Ridgeland Avenue to 167th Street
Section Number: 08-B8526-03-RS
In County Board Districts #6 and 17
Centerline Mileage: 1.10 miles
Fiscal Impact: \$189,837.00
Motor Fuel Tax Fund (600-600 Account)

The Department of Highways submits for execution two (2) copies of an Intergovernmental Agreement with the Village of Tinley Park, wherein said Agreement supersedes a previous Local Agency Agreement for Jurisdictional Transfer of Oak Forest Avenue by terminating said transfer and further provides for reimbursement to the Village for Part A Engineering costs incurred for associated projects along 175th Street (Oak Park Avenue to Ridgeland Avenue) and Ridgeland Avenue (175th Street to Oak Forest Avenue). The County of Cook will retain jurisdiction of Oak Forest Avenue (CH B85) from Ridgeland Avenue to 167th Street and will reimburse the Village for its share of engineering costs for 175th Street and Ridgeland Avenue, estimated total County share \$189,837.00.

The Agreement has been examined and approved by this Department and by the State's Attorney's Office. I therefore respectfully recommend that it be executed in accordance with the accompanying Resolution, and that the two (2) originals be returned to this Department for final processing.

11-R-282

RESOLUTION

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

Resolved, that the President of the Board of Commissioners of Cook County, Illinois, on behalf of the County of Cook, to authorize and direct its President to execute, by original signature or his authorized signature stamp, two (2) copies of an Intergovernmental Agreement with the Village of Tinley Park, said Agreement submitted, wherein said Agreement supersedes a previous Local Agency Agreement for Jurisdictional Transfer and provides for reimbursement to the Village for Part A Engineering costs incurred for projects along 175th Street (Oak Park Avenue to Ridgeland Avenue) and Ridgeland Avenue (175th Street to Oak Forest Avenue); the County of Cook will retain jurisdiction of Oak Forest Avenue (CH B85) from Ridgeland Avenue to 167th Street; the County of Cook will reimburse the Village for its share of engineering costs for 175th Street (County share not to exceed \$94,918.50) under County Section: 07-B6125-02-FP and for Ridgeland Avenue (county share not tot exceed \$94,918.50) under County Section: 07-W3708-01-FP; and, the Department of Highways is authorized and directed to return an executed copy of this Resolution with Agreement to the Village of Tinely Park and implement the terms of the Agreement.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Murphy, moved that the Intergovernmental Agreement Resolution be approved and adopted. **The motion carried unanimously.**

IMPROVEMENT RESOLUTIONS

Transmitting a Communication, dated August 4, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Motor Fuel Tax Project
Improvement Resolution
Fuel System Upgrades
Maintenance Facility, District # 1
Maintenance Facility, District # 2
Maintenance Facility, District # 3
Maintenance Facility, District # 4

Maintenance Facility, District # 5
Villages of La Grange Park, Orland Park, Schaumburg
and Riverdale and the in Cities and Des Plaines
In County Board Districts: #5, 14, 16 and 17
Section: 11-7FSUG-01-MG
Fiscal Impact: \$400,000.00
Motor Fuel Tax Fund: (600-600 Account)

I respectfully submit to your Honorable Body and recommend for adoption, a resolution appropriating funds for the improvement of all five County Highway Maintenance Facilities in Maintenance Districts #1, #2, #3, #4 and #5 in the Villages of La Grange Park, Orland Park and Schaumburg and the Cities of Blue Island and Des Plaines.

This improvement, as proposed, shall consist of fuel system upgrades to bring the systems into conformance with governmental and environmental requirements and shall include removal and replacement of fuel tank sumps, installation of tank and piping release detection sensors, installation of server/network interface device systems, office/site communication systems and other necessary appurtenances to complete the project.

I have therefore prepared the accompanying Improvement Resolution appropriating the sum of Four Hundred Thousand Dollars (\$400,000.00) from the Motor Fuel Tax Fund, and should your Honorable Body concur in this recommendation, I respectfully request that the Resolution be adopted and forwarded to the Illinois Department of Transportation, Division of Highways, for approval.

**11-R-283
RESOLUTION**

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

**State of Illinois
Resolution for Improvement by County
Under the Illinois Highway Code**

BE IT RESOLVED, by the County Board of Commissioners of Cook County, Illinois, that the following described County Maintenance Facility be improved under the Illinois Highway Code:

County Highway Maintenance Facility, District #1, in the Village of Schaumburg;
County Highway Maintenance Facility, District #2, in the City of Des Plaines;
County Highway Maintenance Facility, District #3, in the Village of La Grange Park;
County Highway Maintenance Facility, District #4, in the Village of Orland Park;
County Highway Maintenance Facility, District #5, in the Village of Riverdale; and,

BE IT FURTHER RESOLVED, that the type of improvement shall be fuel system upgrades at the five County Highway Maintenance Facilities to bring the systems into conformance with governmental and environmental requirements and shall include removal and replacement of fuel tank sumps, installation of tank and piping release detection sensors, installation of server/network interface device systems, office/site communication systems and other necessary appurtenances to complete the project and shall be designated as Section: 11-7FSUG-01-MG MFT; and,

BE IT FURTHER RESOLVED, that the improvement shall be constructed by contract; and,

BE IT FURTHER RESOLVED, that there is hereby appropriated the sum of Four Hundred Thousand and NO/100 Dollars, (\$400,000.00) from the County's allotment of Motor Fuel Tax Funds for the construction of this improvement; and,

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the District Office of the Illinois Department of Transportation.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Murphy, moved that the Improvement Resolution be approved and adopted. **The motion carried unanimously.**

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Transmitting a Communication, dated August 12, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Motor Fuel Tax Project
Improvement Resolution
Traffic Signal LED Modernization (19 Locations)
Section: 11-TSCMC-09-TL
Villages of Arlington Heights, Deerfield, Hazel Crest, Schaumburg, Skokie and
Westchester and Cities of Burbank, Des Plaines, Markham and Oak Lawn
In County Board Districts #5, 6, 11 and 13 – 17
Fiscal Impact: \$960,000.00
Motor Fuel Tax Fund: (600-600 Account)

I respectfully submit to your Honorable Body and recommend for adoption, a resolution appropriating funds for the improvement of existing traffic signals at the following nineteen (19) intersections:

LED Retrofitting

Lake Cook Road (CH A50) at Wilke Road.....Village of
Arlington Heights
Lake Cook Road (CH A50) at Lake Cook Plaza/Corp. 500 Ent. (w/o Waukegan Rd)..... Village of
Deerfield
Lake Cook Road (CH A50) at Waukegan Road.....Village of
Deerfield
Dempster Street (CH A64) at Mount Prospect Road (CH W74).....City of
Des Plaines
Central Road (CH A82) at Northwest Community Hospital.....Village of
Arlington Heights

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Old Orchard Road (CH A83) at Edens Expressway Ramps C and D.....	Village of Skokie
Old Orchard Road (CH A83) at Edens Expressway Ramps A and B.....	Village of Skokie
Old Orchard Road (CH A83) at Lawler Avenue.....	Village of Skokie
Old Orchard Road (CH A83) at Lavergne Avenue.....	Village of Skokie
Wolf Road (CH W22) at Westbrook Corporate Center (s/o 22nd Street).....	Village of Westchester
Schaumburg Road (CH A66) at Knollwood Drive.....	Village of Schaumburg
Schaumburg Road (CH A66) at Braintree Drive.....	Village of Schaumburg
Schaumburg Road (CH A66) at Branchwood Drive/Friendship Drive.....	Village of Schaumburg
Schaumburg Road (CH A66) at Hilltop Drive.....	Village of Schaumburg
Schaumburg Road (CH A66) at Summit Drive.....	Village of Schaumburg
Schaumburg Road (CH A66) at National Parkway/Bar Harbour Road.....	Village of Schaumburg
Kedzie Avenue (CH W46) at South Suburban Hospital (s/o 175th Street).....	Village of Hazel Crest
Kedzie Avenue (CH W46) at 163rd Street.....	City of Markham
87th Street (CH B42) at Ridgeland Avenue (CH W37).....	Cities of Burbank and Oak Lawn

This improvement, as proposed, will consist of modernization of existing traffic signal installations and shall include removal and replacement (retrofitting) of signal heads to LED at 19 locations, engineering and other necessary highway appurtenances.

I have therefore prepared the accompanying Improvement Resolution appropriating the sum of Nine Hundred Sixty Thousand Dollars (\$960,000.00) from the Motor Fuel Tax Fund, and should your Honorable Body concur in this recommendation, This improvement, as proposed, will consist of modernization of existing traffic signal installations and shall include removal and replacement (retrofitting) of signal heads to LED at 19 locations, engineering and other necessary highway appurtenances, contingent upon availability funding from the Cook County Energy Efficiency and Conservation Block Grant Program (EECBG).

**11-R-284
RESOLUTION**

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

**State of Illinois
Resolution for Improvement by County
Under the Illinois Highway Code**

JOURNAL OF PROCEEDINGS FOR SEPTEMBER 7, 2011

BE IT RESOLVED, by the County Board of Commissioners of Cook County, Illinois, that the following described County Highways be improved under the Illinois Highway Code:

LED Retrofitting

Lake Cook Road (CH A50) at Wilke Road.....Village of Arlington Heights
Lake Cook Road (CH A50) at Lake Cook Plaza/Corp. 500 Ent. (w/o Waukegan Rd).....Village of Deerfield
Lake Cook Road (CH A50) at Waukegan Road.....Village of Deerfield
Dempster Street (CH A64) at Mount Prospect Road (CH W74).....City of Des Plaines
Central Road (CH A82) at Northwest Community Hospital.....Village of Arlington Heights
Old Orchard Road (CH A83) at Edens Expressway Ramps C and D.....Village of Skokie
Old Orchard Road (CH A83) at Edens Expressway Ramps A and B.....Village of Skokie
Old Orchard Road (CH A83) at Lawler Avenue.....Village of Skokie
Old Orchard Road (CH A83) at Lavergne Avenue.....Village of Skokie
Wolf Road (CH W22) at Westbrook Corporate Center (s/o 22nd Street).....Village of Westchester
Schaumburg Road (CH A66) at Knollwood Drive.....Village of Schaumburg
Schaumburg Road (CH A66) at Braintree Drive.....Village of Schaumburg
Schaumburg Road (CH A66) at Branchwood Drive/Friendship Drive.....Village of Schaumburg
Schaumburg Road (CH A66) at Hilltop Drive.....Village of Schaumburg
Schaumburg Road (CH A66) at Summit Drive.....Village of Schaumburg
Schaumburg Road (CH A66) at National Parkway/Bar Harbour Road.....Village of Schaumburg
Kedzie Avenue (CH W46) at South Suburban Hospital (s/o 175th Street).....Village of Hazel Crest
Kedzie Avenue (CH W46) at 163rd Street.....City of Markham
87th Street (CH B42) at Ridgeland Avenue (CH W37).....Cities of Burbank and Oak Lawn

BE IT FURTHER RESOLVED, that the type of improvement shall be the modernization of existing traffic signal installations and shall include removal and replacement (retrofitting) of signal heads to LED at 19 locations, engineering and other necessary highway appurtenances and shall be designated as Section: 11-TSCMC-09-TL MFT; and,

BE IT FURTHER RESOLVED, that the improvement shall be constructed by contract; and,

BE IT FURTHER RESOLVED, that there is hereby appropriated the sum of Nine Hundred Sixty Thousand and NO/100 Dollars (\$960,000.00) from the County's allotment of Motor Fuel Tax Funds for the construction of this improvement; and,

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the District Office of the Illinois Department of Transportation.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Murphy, moved that the Improvement Resolution be approved and adopted. **The motion carried unanimously.**

APPROVAL RESOLUTION

Transmitting a Communication, dated August 10, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

COMPLETION OF CONSTRUCTION
APPROVAL RESOLUTION
Village of Schaumburg
Schaumburg Road
Roselle Rd. to Meacham Rd.
Section: 10-A6610-01-RP
COUNTY BOARD DISTRICT: #15

I respectfully submit to your Honorable Body and recommend for adoption a resolution approving the construction of the above captioned project in the Village of Schaumburg.

On May 18, 2010, your Honorable body awarded a contract for the aforesaid improvement to be completed in accordance with the plans and specifications.

The work, consisting of the repair of the existing concrete pavement with patching along with diamond grinding, repair and replacement of damaged combination concrete curb and gutter, median repair, crack routing and sealing, drainage repairs and adjustments, removal and replacement of raised reflective pavement markers, repair of traffic signal loop detectors, as required, landscaping for parkway restoration, pavement marking, traffic protection and miscellaneous appurtenances, has been completed under the supervision and to the satisfaction of the Superintendent of Highways.

The contract price of this project was \$2,199,926.88 and final cost is \$2,030,628.87. The decrease was due to B.C. No. 1 approved by the County Board as the job progressed, and B.C. No. 2, the final adjustment of quantities.

11-R-285

APPROVAL RESOLUTION

WHEREAS, the highway improvement known as Schaumburg Road Roselle Rd. to Meacham Rd., Section: 10-A6610-01-RP, the work consisting of the repair of the existing p.c. concrete pavement along Schaumburg Road with Patches and p.c. concrete pavement (10 In.), as required, along with diamond grinding, also included were the repair and replacement of damaged combination concrete curb and gutter, as required, median repair, as required, crack routing and sealing, drainage repairs and adjustments, as required, removal

and replacement of raised reflective pavement markers, repair of traffic signal loop detectors, as required, landscaping for parkway restoration, pavement marking, traffic protection and miscellaneous appurtenances, as required and miscellaneous appurtenances, has been regularly awarded by the Board of County Commissioners for construction as a County Highway improvement, and

WHEREAS, the aforesaid highway improvement has been satisfactorily completed in accordance with the provisions and stipulations of aforesaid contract, now, therefore,

BE IT RESOLVED, that the work and construction of aforesaid contract be, and hereby, is approved.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Murphy, moved that the Approval Resolution be approved and adopted. **The motion carried unanimously.**

MAINTENANCE RESOLUTIONS

Transmitting a Communication, dated August 3, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Motor Fuel Tax Project
County Highway Maintenance Resolution
Sign Panel Assembly Maintenance
for Calendar Year 2012 at Various Locations
In County Board Districts: #1, 4, 5, 6, 9, 11, 13-17
Section: 12-8SPAM-33-GM
Fiscal Impact: \$800,000.00
Motor Fuel Tax Fund: (600-600 Account)

I respectfully submit to your Honorable Body and recommend for adoption, a resolution appropriating funds for the maintenance of sign panel assemblies for safety and traffic control on various County Highways for the calendar year 2012.

This maintenance, as proposed, shall consist of furnishing, removal, relocation and maintenance of existing and new sign panel assemblies and their appurtenances and other traffic control materials by contract including contingencies and supervision by County Forces.

I have therefore prepared the accompanying Maintenance Resolution appropriating the sum of Eight Hundred Thousand Dollars (\$800,000.00) from the Motor Fuel Tax Fund, and should your Honorable Body concur in this recommendation, I respectfully request that the Resolution be adopted and forwarded to the Illinois Department of Transportation, Division of Highways, for approval.

11-R-286

RESOLUTION

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

County Maintenance Resolution

RESOLVED, by the County Board of Commissioners, Cook County, that \$800,000.00 is appropriated from the Motor Fuel Tax allotment for the sign panel assemblies located on County Highways and meeting the requirements of the Illinois Highway Code.

	Amount
1) Furnishing, removal, relocation and maintenance of existing and new sign panels	\$ 500,000.00
2) Supervision by County Forces	\$ 250,000.00
3) Contingencies	\$ 50,000.00
Total	\$ 800,000.00

and be it further

RESOLVED, that the above designated items be maintained under the provisions of said Illinois Highway Code during the year ending December 31, 2012, as Section: 12-8SPAM-33-GM and be it further

RESOLVED, that the County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from the balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Murphy, moved that the Maintenance Resolution be approved and adopted. **The motion carried unanimously.**

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Transmitting a Communication, dated August 3, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Motor Fuel Tax Project
County Highway Maintenance Resolution
Pavement Marking Maintenance for Calendar Year 2012
at Various Locations in County Board Districts #1, 4, 5, 6, 9,11, 13-17
Section: 12-8PVMK-35-GM
Fiscal Impact: \$1,750,000.00 from the Motor Fuel Tax Fund (600-600 Account)

**11-R-287
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

County Maintenance Resolution

RESOLVED, by the County Board of Commissioners, Cook County, that \$1,750,000.00 is appropriated from the Motor Fuel Tax allotment for the maintenance of traffic control markings located on County Highways and meeting the requirements of the Illinois Highway Code.

		Amount
1)	Centerline, edgeline, laneline and other incidental traffic control markings	\$1,500,000.00
2)	Supervision by County Forces	\$ 100,000.00
3)	Contingencies	\$ 150,000.00
Total		\$1,750,000.00

and be it further

RESOLVED, that the above designated items be maintained under the provisions of said Illinois Highway Code during the year ending December 31, 2012, as Section: 12-8PVMK-35-GM and be it further

RESOLVED, that the County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from the balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Murphy, moved that the Maintenance Resolution be approved and adopted. **The motion carried unanimously.**

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Transmitting a Communication, dated August 3, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Motor Fuel Tax Project

County Highway Maintenance Resolution

Striping of Intersections and Crosswalks for Calendar Year 2012

at Various Locations in County Board Districts #1, 4, 5, 6, 9,11, 13-17

Section: 12-8STIC-33-GM

Fiscal Impact: \$1,150,000.00 for the Motor Fuel Tax Fund (600-600 Account)

**11-R-288
RESOLUTION**

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

County Maintenance Resolution

RESOLVED, by the County Board of Commissioners, Cook County, that \$1,150,000.00 is appropriated from the Motor Fuel Tax allotment for the maintenance of pavement markings located on County Highways and meeting the requirements of the Illinois Highway Code.

	Amount
1) Crosswalks, stop lines, words and symbols and other incidental traffic control markings	\$ 900,000.00
2) Supervision by County Forces	\$ 160,000.00
3) Contingencies	\$ 90,000.00
Total	\$1,150,000.00

and be it further

RESOLVED, that the above designated items be maintained under the provisions of said Illinois Highway Code during the year ending December 31, 2012, as Section: 12-8STIC-33-GM and be it further

RESOLVED, that the County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from the balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved and adopted this 7th day of September 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Murphy, moved that the Maintenance Resolution be approved and adopted. **The motion carried unanimously.**

CONTRACTS AND BONDS

Transmitting a Communication from

JOHN J. BEISSEL, P.E., Acting Superintendent of Highways

transmitting Contracts and Bonds executed by the contractors for approval and execution as requested by the Acting Superintendent of Highways.

<u>ITEM</u>	<u>SECTION</u>	<u>BIDDER</u>
1. Furnish Bituminous Material for the North Area	11-HBITN-05-GM	Arrow Road Construction Company
Total Contract Amount: \$88,395.00. Date Advertised: May 23, 2011. Date of Bid Opening: June 7, 2011. Date of Board Award: July 12, 2011.		
2. Crawford Avenue, Lincoln Avenue to Golf Road	11-W4337-04-RS	Arrow Road Construction Company
Total Contract Amount: \$934,609.30. Date Advertised: June 6, 2011. Date of Bid Opening: June 22, 2011. Date of Board Award: July 12, 2011.		
3. Palatine Township 2011 M.F.T. Project. Various Locations	10-25154-90-RS	Arrow Road Construction Company
Total Contract Amount: \$388,080.00. Date Advertised: June 6, 2011. Date of Bid Opening: June 22, 2011. Date of Board Award: July 12, 2011.		
4. 88th Avenue, 103rd Street to 87th Street	03-W3017-03-FP	K-Five Construction Corporation and Lindahl Brothers, Inc. a Joint Venture
Total Contract Amount: \$11,163,856.05. Date Advertised: June 6, 2011. Date of Bid Opening: June 22, 2011. Date of Board Award: July 12, 2011.		

Commissioner Sims, seconded by Commissioner Murphy, moved that the contracts and bonds be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

PROPOSED CHANGES IN PLAND AND EXTRA WORK

Transmitting a Communication, dated August 10, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Village of Deerfield in County Board District #14.

AUTH. NO.	SECTION	DESCRIPTION	AMOUNT
1	01-A5020-02-RP Lake-Cook Road - East of Wilmot Road to Pfingsten Road	Adjustment of Quantities and New Items	\$282,057.63 (Addition)

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with additional quantities being required for patching, pavement removal and replacement, curb & gutter removal and replacement, deck slab repair (partial depth), structure excavation and pavement marking tape.

New items were required but not provided in the original contract for retrofit of traffic signal following redesign of two intersections, curb line patching to repair deteriorated edge of pavement and grinding median to adjust project staging.

I respectfully recommend approval by your Honorable Body.

Commissioner Sims, seconded by Commissioner Murphy, moved that the communication be referred to the Committee on Roads and Bridges (Comm. No. 314398).

* * * * *

Transmitting a Communication, dated August 10, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the City of Chicago in County Board District #4.

AUTH. NO.	SECTION	DESCRIPTION	AMOUNT
3 & Final	06-B4234-02-RS 87th Street Wentworth Avenue to South Chicago Avenue	Final Adjustment of Quantities and New Item	\$102,653.23 (Deduction)

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual final field quantities of work performed with savings in aggregate base course and elimination of the contract extra work item.

A new item was provided for additional cost incurred to dispose of uncontaminated soil to comply with IEPA regulations effective August 1, 2010.

I respectfully recommend approval by your Honorable Body.

Commissioner Sims, seconded by Commissioner Murphy, moved that the communication be referred to the Committee on Roads and Bridges (Comm. No. 314399).

* * * * *

Transmitting a Communication, dated August 3, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Village of Tinley Park in County Board District #17.

AUTH. NO.	SECTION	DESCRIPTION	AMOUNT
12	05-B6422-03-FP 183rd Street La Grange Road to 80th Ave. Fed. Proj. No.: M-8003 (167) Fed. Job. No.: C-91-066-02 Contract No.: 10214	Adjustment of Quantities	\$3,428.20 (Deduction)

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with a savings due to less quantities required for storm sewers items pavement marking line (4 inch and 12 inch), inlet filters and cleaning.

I respectfully recommend approval by your Honorable Body.

Commissioner Sims, seconded by Commissioner Murphy, moved that the communication be referred to the Committee on Roads and Bridges (Comm. No. 314400).

* * * * *

Transmitting a Communication, dated August 4, 2011 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

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I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Village of Niles, City of Park Ridge and Unincorporated Maine Township in County Board District #9.

AUTH. NO.	SECTION	DESCRIPTION	AMOUNT
3	10-W2839-01-RP Greenwood Avenue Oakton Street to Dempster Street Church Street to Golf Road	Adjustment of Quantities and New Items	\$33,529.79 (Addition)

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with additional quantities being required for adjusting various drainage structures and complete elimination of the contract extra work item.

New items were required but not provided in the original contract for cutting down plate in a restrictor manhole and rectifying drainage problems at various locations, per field conditions.

I respectfully recommend approval by your Honorable Body.

Commissioner Sims, seconded by Commissioner Murphy, moved that the communication be referred to the Committee on Roads and Bridges (Comm. No. 314401).

REPORT

Transmitting a Communication from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

Attached hereto are copies of the Bureau of Construction's Progress Report for the month ending July 31, 2011.

Commissioner Sims, seconded by Commissioner Murphy, moved that the communication be referred to the Committee on Roads and Bridges. (Comm. No. 314402).

NOTICE OF 501 ACCOUNT FISCAL YEAR 2011

Transmitting a Communication from

JOHN J. BEISSEL, P.E., Acting Superintendent of Highways

Re: Notice of 501 Account Fiscal Year 2011

Presented for your information is a list of projects funded from the 501 Illinois First Account that are now assigned individual Section Numbers, as required by the Illinois Department of Transportation, to track Motor Fuel Tax expenditures. The County Board of Commissioners, as part of Cook County's annual budget, approved the Department of Highway's 501 Account, a Motor Fuel Tax funded account.

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Individual appropriations, such as Appropriating or Maintenance Resolutions are not required for these items by the Illinois Department of Transportation because this Account is part of the County's Annual Budget. The Board will be supplied with continued notification of the advancement of the projects through established procedures, i.e., permission to advertise, award approval and payment processing as appropriate.

<u>Project Title</u>	<u>Description</u>	<u>Section Number</u>	<u>Appropriation</u>
Professional and Managerial Services– 2011	Engineering Services for Drainage Contracts for roadway purposes through County Purchasing Agent	11-IFPMS-11-ES	\$30,000.00
Computer Operation Supplies	Purchase of twelve (12) Microstation licenses for design programs and computer applications for highway related use by requisition through County Purchasing Agent	11-IFCOS-09-GM	\$35,000.00
Climatological Forecasting Services – 2011	Annual access fee six (6) locations including equipment through County Purchasing Agent	11-IFCFS-11-AM	\$10,000.00
Contract Maintenance Services – 2011	Maintenance of Highway Maintenance District Facilities by contract through County Purchasing Agent	11-IFCMS-03-GM	\$75,000.00
Institutional Supplies and Materials – 2011	Purchase of supplies and materials used in construction, surveying and material testing along various roadways by requisition through County Purchasing Agent	11-IFISM-11-GM	\$10,000.00
Salt Additives – 2011	Purchase of solid and liquid calcium chloride by requisition through County Purchasing Agent	11-IFSAM-11-GM	\$25,000.00
Road Repair Materials – 2011	Purchase of ready-mix, crack filler and sealant SS-1 emulsion, form lumber, replacement mailboxes, equipment rental, etc. for highway related use by	11-IFRRM-11-GM	\$65,000.00

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	requisition through County Purchasing Agent		
Roadside Vegetative Management Materials – 2011	Purchase of herbicide, topsoil, sod, seed, debris bags, etc. for highway related use by requisition through County Purchasing Agent	11-IFRVM-11-GM	\$35,000.00
Drainage Materials – 2011	Purchase of storm sewer, flared end sections, frames and lids, culvert pipe, etc. for roadway purposes by requisition through County Purchasing Agent	11-IFDRM-13-M	\$40,000.00
Computer Application Maintenance Services – 2011	Annual support fees for GEOPAK, Microstation software, computer maintenance and repair for highway related use by requisition through County Purchasing Agent	11-IFCAS-11-GM	\$84,000.00
Guardrail and Fence Repairs – 2011	Guardrail and Fence Repairs along various County highways in all maintenance districts by contract	11-IFGFR-06-GM	\$110,000.00
Heating, Ventilation and Air Conditioning Maintenance Services – 2011	Annual maintenance contract at Highway Department garage facilities through County Purchasing Agent	11-IFHVS-16-GM	\$70,000.00
Door Maintenance Services – 2011	Annual maintenance contract at Highway Department garage facilities through County Purchasing Agent	11-IFDRS-16-GM	\$25,000.00
Miscellaneous Equipment Rental	Rental of specialized equipment for roadway purposes by requisition through County Purchasing Agent	11-IFMER-09-GM	\$5,000.00

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Radio Equipment Maintenance Services	Radio Communication Services for highway related use by contract through County Purchasing Agent	11-IFRES-04-GM	\$2,300.00
Chicago Metropolitan Agency for Planning	Annual CMAP Membership Fee – 2011 for regional coordination and planning of various highway projects per FHWA requirements	11-IFCMP-02-MS	\$35,000.00

Commissioner Sims, seconded by Commissioner Murphy, moved that the communication be received and filed. **The motion carried unanimously.**

BUREAU OF HUMAN RESOURCES

REPORT

Transmitting a Communication, dated September 7, 2011 from

MAUREEN T. O'DONNELL, Chief, Bureau of Human Resources
and
CONSTANCE M. KRAVITZ, C.P.A., County Comptroller

submitting the Human Resources Activity reports covering the two (2) week pay period for both Pay Period 14 ending July 2, 2011 and Pay Period 15 ending July 16, 2011.

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be received and filed. **The motion carried unanimously.**

OFFICE OF THE INDEPENDENT INSPECTOR GENERAL

INTERGOVERNMENTAL AGREEMENT

Transmitting a Communication, dated August 30, 2011 from

PATRICK BLANCHARD, Independent Inspector General, Office of the Independent Inspector General

requesting authorization to enter into and execute an Intergovernmental Agreement ("Agreement") between the County of Cook ("Cook County"), by and through the Cook County Office of the Independent Inspector General ("OIIG") and the Forest Preserve District of Cook County (the "District") which covers a contract period commencing retroactively on April 1, 2011 and ending on March 31, 2010.

Reason: On April 7, 2011, the Board of Commissioners for the Forest Preserve District of Cook County ("District Board") adopted the Independent Inspector General Ordinance and on May 4, 2011, per Article VII, Section 10 of the Illinois Constitution and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., the District Board authorized the execution of an Intergovernmental Agreement between Cook County and the District, to permit the District to obtain services from the OIIG for a contract period commencing retroactively on ~~April 1, 2011 and ending on March 31, 2012~~ April 1, 2011 and ending on March 31, 2013. In consideration of the services to be provided by the OIIG to the District, the Agreement authorized the OIIG to charge, and the District to pay, the ordinary and necessary expenses incurred by the OIIG attributable to functions performed by the OIIG for the benefit of the District.

Estimated Fiscal Impact: The estimated fiscal impact to the OIIG is \$200,000.00; however, this impact will be charged to and reimbursed by the District to Cook County.

Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Independent Inspector General of the Office of the Independent Inspector General be approved, as amended. **The motion carried unanimously.**

JUVENILE PROBATION AND COURT SERVICES DEPARTMENT

CONTRACT ADDENDA

Transmitting a Communication, dated August 10, 2011 from

TIMOTHY C. EVANS, Chief Judge, Circuit Court of Cook County

requesting authorization for the Purchasing Agent to increase by \$120,000.00 and extend for (6) months or October 1, 2011 through March 31, 2012, Contract No. 09-41-280 with Kaleidoscope, Inc., Chicago, Illinois, for foster care services for minor females.

Board approved amount on 07- 21-09:	\$547,614.00
Increase requested:	<u>120,000.00</u>
Adjusted amount:	\$667,614.00

Reason: A six month increase and extension is requested while a Request for Proposal (RFP) is developed for these temporary foster care services. Kaleidoscope, Inc. is responsible for the recruitment and selection of qualified foster care homes; training of the responsible adults in the foster care homes; and the general administration and oversight of the programs and services.

Estimated Fiscal Impact: \$120,000.00 (FY2011-\$60,000.00 and FY2012-\$60,000.00). Contract extension: October 1, 2011 through March 31, 2012. (326-298 Account).

Approval of this item would commit Fiscal Year 2012 funds.

Commissioner Collins, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to increase and extend the requested contract. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated April 21, 2011 from

TIMOTHY C. EVANS, Chief Judge, Circuit Court of Cook County

requesting authorization for the Purchasing Agent to increase by \$297,500.00 and extend for seven (7) months or June 1, 2011 through December 31, 2011, Contract No.11-45-50 with G4S Justice Services, LLC, Atlanta, Georgia, to maintain and provide service for electronic monitoring equipment operated by the Juvenile Probation and Court Services Department, Circuit Court of Cook County. Services include 24-hour staffed monitoring, Internet access to client data, unit repair and replacement, reports and alert notification.

Board approved amount 12-14-10:	\$255,000.00
Increase requested:	<u>297,500.00</u>
Adjusted amount:	\$552,500.00

Reason: This increase and extension will provide time to complete a Countywide Request for Proposal (RFP) which is under development. The expiration date of the current contract was May 31, 2011.

Estimated Fiscal Impact: \$297,500.00 (FY2011 \$255,000.00 and FY2012 \$42,500.00). Contract extension: June 1, 2011 through December 31, 2011. (326-449 Account).

Approval of this item would commit Fiscal Year 2012 funds.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Collins, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to increase and extend the requested contract. **The motion carried unanimously.**

JUVENILE TEMPORARY DETENTION CENTER

PERMISSION TO ADVERTISE

Transmitting a Communication, dated August 12, 2011 from

EARL L. DUNLAP, Transitional Administrator, Juvenile Temporary Detention Center

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of milk products.

Contract period: January 12, 2012 through January 11, 2013. (440-310 Account).

Approval of this item would commit Fiscal Year 2012 funds.

Commissioner Collins, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated August 12, 2011 from

EARL L. DUNLAP, Transitional Administrator, Juvenile Temporary Detention Center

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of fresh produce.

Contract period: January 12, 2012 through January 11, 2013. (440-310 Account).

Approval of this item would commit Fiscal Year 2012 funds.

Commissioner Collins, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

PURCHASE ORDER ADDENDUM

Transmitting a Communication, dated August 9, 2011 from

EARL L. DUNLAP, Transitional Administrator, Juvenile Temporary Detention Center

requesting authorization for the Purchasing Agent to increase by \$25,000.00, Purchase Order No. 175978-000-OP with McMahon Food Corp., Chicago, Illinois, for milk products.

Original Purchase Order amount issued 11-30-09:	\$130,000.00
Purchase Order No. 175978-000-OP 2-22-11:	31,103.67
Increase requested:	<u>25,000.00</u>
Adjusted amount:	\$186,103.67

Reason: This request is necessary to increase Contract No. 09-83-313 by \$25,000.00. We currently have a balance of \$14,426.07 remaining. We project that our office will exceed the original dollar value allocated under this contract due to the increase of residents. The expiration dated of the current purchase order is January 11, 2012.

Estimated Fiscal Impact: \$25,000.00. (440-310 Account).

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Collins, seconded by Commissioner Sims, moved that the communication be referred to the Committee on Finance, as amended. (Comm. No. 314409). **The motion carried unanimously.**

OFFICE OF THE MEDICAL EXAMINER

MISCELLANEOUS ITEM OF BUSINESS

Transmitting a Communication, dated August 10, 2011 from

NANCY L. JONES, M.D., Chief Medical Examiner

ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE
COUNTY OF COOK AND THE ANATOMICAL GIFT ASSOCIATION OF ILLINOIS

Modification

PART IV: ME'S PROCEDURES FOR NOTIFYING AGA OF SUITABLE HUMAN REMAINS

A. The following language shall be added after the last sentence in Paragraph A:

"The ME shall fax to the Office of the Cook County Public Administrator, on a bi-monthly basis, the most current list of 'No Funds for Burial'."

D. The following language shall be added to the end of Paragraph D:

"Once the AGA takes possession of the human remains, it shall segregate said remains in a designated area, and shall not embalm said remains, until a period of twenty-one (21) days has elapsed from the time that the ME first took possession of the unclaimed human remains. After twenty-one (21) days has elapsed from the time that the ME first took possession of the human remains, the AGA is entitled to proceed with its procedures outlined in Part V, Paragraph E of this Memorandum."

Part V: AGA's PROCEDURES ONCE NOTIFIED THAT ME HAS HUMAN REMAINS

A. The following language shall be added in Paragraph A between "shall notify the ME" and "within forty-eight (48) hours":

"and the Office of the Cook County Public Administrator"

Part VII: EXPENSES

The following language shall be added as the last sentence to Part VII:

"The AGA's fee for a permit to cremate a dead body, under this Memorandum of Understanding, shall be \$25.00."

Commissioner Garcia, seconded by Commissioner Murphy, moved that the request of the Chief Medical Examiner be approved. **The motion carried unanimously.**

DEPARTMENT OF PLANNING AND DEVELOPMENT

PROPOSED RESOLUTION

Transmitting a Communication, dated August 18, 2011 from

HERMAN BREWER, Director, Office of Capital Planning and Policy

respectfully submitting this resolution regarding Chicago Metallic Corporation's request for a Class 6b property tax incentive for special circumstances and substantial rehabilitation for an industrial building located at 9900 Industrial Drive, Bridgeview, Illinois. The property is currently owned by CMC. The company downsized operations in April 2008 and the building has remained vacant since that time. The applicant intends to occupy half of the building for the purpose of manufacturing ceiling products. The other half of the building will be leased to an industrial company.

CMC requests approval of the tax incentive based on the special circumstances that the property has been vacant for more than 24 months; there has been no purchase for value; and substantial rehabilitation will be completed under the Class 6b Ordinance. This Resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by

TONI PRECKWINKLE, President and JOAN PATRICIA MURPHY, County Commissioner

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Chicago Metallic Corporation and Resolution No. 10-24 from the Village of Bridgeview for an abandoned industrial facility located at 9900 South Industrial Drive, Bridgeview, Cook County, Illinois, County Board District #6, Property Index Number 23-12-211-035-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for the purpose of Class 6b; and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires a Resolution by the County Board validating the property is deemed abandoned for the purpose of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that the building has been abandoned for 32 months, at the time of application, with no purchase for value and that special circumstances are present; and

WHEREAS, the re-occupancy will retain 175 jobs; create an estimated 10 new full-time jobs; an anticipated additional 80 new full time jobs, and the Village of Bridgeview states the Class 6b is necessary for development to occur on this specific real estate. The municipal resolution cites the special circumstances include that the property has been vacant for over 24 months; will have no purchase for value; and special circumstances exists due to the high level of vacant properties in the Village; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 9900 South Industrial Drive, Bridgeview, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the Proposed Resolution be referred to the Real Estate and Business and Economic Development Subcommittee. (Comm. No. 314405). **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated August 18, 2011 from

HERMAN BREWER, Director, Office of Capital Planning and Policy

respectfully submitting this resolution regarding Ardco North, LLC's request for a Class 6b property tax incentive for special circumstances and substantial rehabilitation for an industrial building located at 12324 South Laramie Avenue, Alsip, Illinois. The applicant intends to lease the property to a warehousing, manufacturing and/or distribution company.

Ardco North, LLC requests approval of the tax incentive based on the special circumstances that the property has been vacant for more than 24 months; there has been no purchase for value; and substantial rehabilitation will be completed under the Class 6b Ordinance. This Resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by

TONI PRECKWINKLE, President and JOAN PATRICIA MURPHY County Commissioner

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Ardco North, LLC and Resolution No. 2010-9-R-2 from the Village of Alsip for an abandoned industrial facility located at 12324 South Laramie Avenue, Alsip, Cook County, Illinois, County Board District #6, Property Index Number 24-28-400-025-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for the purpose of Class 6b; and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires a Resolution by the County Board validating the property is deemed abandoned for the purpose of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that the building has been abandoned for 29 months, at the time of application, with no purchase for value and that special circumstances are present; and

WHEREAS, the re-occupancy will create an estimated 35 new full-time jobs, and the Village of Alsip states the Class 6b is necessary for development to occur on this specific real estate. The municipal Resolution cites the special circumstances include that the property has been vacant for over 24 months; will have no purchase for value; and is in need of substantial rehabilitation; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 12324 South Laramie Avenue, Alsip, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the Proposed Resolution be referred to the Real Estate and Business and Economic Development Subcommittee. (Comm. No. 314406). **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated August 18, 2011 from

HERMAN BREWER, Director, Office of Capital Planning and Policy

respectfully submitting this resolution regarding RLR Investments, LLC's request for a Class 6b property tax incentive for special circumstances and substantial rehabilitation for an industrial building located at 16059 Crawford Avenue, Markham, Illinois. The applicant intends to lease the site to its company, Greenwood Motor Lines, Inc., which specializes in logistics; warehousing and distribution.

RLR Investments, LLC requests approval of the tax incentive based on the special circumstances that the property has been vacant for more than 24 months; there has been no purchase for value; and substantial rehabilitation will be completed under the Class 6b Ordinance. This Resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by

TONI PRECKWINKLE, President, and DEBORAH SIMS County Commissioner

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b, that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from RLR Investments, LLC and Resolution No. 10-R-423 from the City of Markham for an abandoned industrial facility located at 16059 Crawford Avenue, Markham, Cook County, Illinois, County Board District #5, Property Index Numbers: 28-23-104-005-0000; 28-23-104-008-0000; 28-23-104-011-0000; 28-23-104-012-0000 and 23-104-013-0000.

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for the purpose of Class 6b; and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires a resolution by the County Board validating the property is deemed abandoned for the purpose of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that the building has been abandoned for 29 months, at the time of application, with no purchase for value and that special circumstances are present; and

WHEREAS, the re-occupancy will retain 55 full-time jobs; create an estimated 15 new full-time jobs immediately and an additional 30 new jobs within the next two (2) years; and

WHEREAS, the City of Markham states that the Class 6b tax incentive is necessary for development to occur and that special circumstances exist which include the subject property has been vacant for more

than 24 months; there has been no purchase for value; and the subject property is in need of substantial rehabilitation.; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 16059 Crawford Avenue, Markham, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the Proposed Resolution be referred to the Real Estate and Business and Economic Development Subcommittee. (Comm. No. 314407). **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated August 18, 2011 from

HERMAN BREWER, Director, Office of Capital Planning and Policy

respectfully submitting this resolution regarding HIS Investment II, LLC's request for a Class 8 property tax incentive for special circumstances and substantial rehabilitation for the commercial buildings located at 272 East 147th Street and 14711 Halsted Street, Harvey, Illinois. The applicant has leased one of the commercial buildings to Advance Auto Parts. The remaining building has not been leased. The owner continues to advertise this property for lease.

HIS Investment II, LLC requests approval of the tax incentive based on the special circumstances that the property has been vacant for less than 24 months; has been purchased for value; and substantial rehabilitation will be completed under the Class 8 Ordinance. This Resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by

TONI PRECKWINKLE, President and DEBORAH SIMS, County Commissioner

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 8 that provides an applicant a reduction in the assessment level for a commercial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from HIS Investment II, LLC and Resolution No. 2561 from the City of Harvey for the abandoned commercial facilities located at 272 East 147th Street and 14711 Halsted Street, Harvey, Cook County, Illinois, Cook

County District #5 Property Index Numbers 29-08-403-014-0000, 29-08-403-015-0000, 29-08-403-016-0000, 29-08-403-017-0000, 29-08-403-026-0000, 29-08-403-027-0000, and 29-08-403-051-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for the purpose of Class 8; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 8 requires a resolution by the County Board validating the property is deemed abandoned for the purpose of Class 8; and

WHEREAS, the Cook County Board of Commissioners has determined that the building has been abandoned for 18 months, at the time of application, there has been a purchase for value with substantial rehabilitation and that special circumstances are present; and

WHEREAS, the re-occupancy will create an estimated 15 new full-time jobs, 5 new part-time jobs and 15 construction jobs and the City of Harvey states the Class 8 is necessary for development to occur on this specific real estate. The municipal resolution cites the special circumstances include that the property has been vacant for less than 24 months; there has been a purchase for value; and the building is in need of substantial rehabilitation. The purchase of these vacant commercial buildings will have a positive impact on the City by creating employment and increasing economic benefits to the community;

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 272 East 147th Street and 14711 Halsted Street, Harvey, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 8; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the Proposed Resolution be referred to the Real Estate and Business and Economic Development Subcommittee. (Comm. No. 314408). **The motion carried unanimously.**

COOK COUNTY WORKS

GRANT AWARDS

Transmitting a Communication, dated August 16, 2011 from

KARIN M. NORINGTON-REAVES, Director, Cook County Works

requesting authorization to accept a grant award in the amount of \$51,269.00 from the Illinois Department of Commerce and Economic Opportunity (DCEO), Springfield, Illinois, for additional Workforce Investment Act (WIA) Title I funds. These funds represent an incentive grant awarded for exceeding WIA performance measures during Program Year 2010.

Funds will be used to provide employment and training services to eligible residents of South and West Suburban Cook County. These funds have been authorized for this purpose by the Illinois Department of Commerce and Economic Opportunity.

The authorization to accept the previous grant was given on June 15, 2010 by the Cook County Board of Commissioners in the amount of \$266,921.00

Estimated Fiscal Impact: None. Grant Award: \$51,269.00. Funding period: June 1, 2011 through June 30, 2013.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Collins, seconded by Commissioner Silvestri, moved that the request of the Director of Cook County Works be approved. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated August 18, 2011 from

KARIN M. NORINGTON-REAVES, Director, Cook County Works

requesting authorization to accept a grant award in the amount of \$11,130,317.00 from the Illinois Department of Commerce and Economic Opportunity (DCEO), Springfield, Illinois, for Workforce Investment Act (WIA) Title I funds.

Funds will be used to provide employment and training services to eligible residents of South and West Suburban Cook County. These funds have been authorized for this purpose by the Illinois Department of Commerce and Economic Opportunity.

The authorization to accept the previous grant was given on December 1, 2010 by the Cook County Board of Commissioners in the amount of \$13,197,785.00.

Estimated Fiscal Impact: None. Grant Award: \$11,130,317.00. Funding period: July 1, 2011 through June 30, 2013.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Collins, seconded by Commissioner Silvestri, moved that the request of the Director of Cook County Works be approved. **The motion carried unanimously.**

OFFICE OF THE PUBLIC DEFENDER

TRANSFER OF FUNDS

Transmitting a Communication, dated July 26, 2011 from

ABISHI CUNNINGHAM, JR., Public Defender

requesting approval by the Board of Commissioners to transfer funds totaling \$8,000.00 from Account 260-260, Professional and Managerial Services to Account 260-445 Operation of Automotive Equipment to ensure sufficient funds are available to meet our obligation to the Cook County Sheriff's office for gasoline.

Reason: Due to the increase in gas prices, it is necessary to increase the funding in the Operation of Auto Equipment account so that there are sufficient funds to cover FY2011 expenses.

From Account 260-260	Total	\$8,000.00
To Account 260-445	Total	\$8,000.00

1. On what date did it become apparent that the receiving account would require an infusion of funds in order to meet current obligations? What was the balance in the account on that date, and what was the balance 30 days prior to that date?

It became apparent on July 25th, 2011 that this account needed an infusion of funds to meet current obligations. The balance in the account on July 25th was \$5,976.00 and the balance 30 days prior was \$8,518.00

2. How was the account used for the source of transferred funds identified? List any other accounts that were also considered (but not used) as the source of the transferred funds.

The account used for the source of funds was identified because there is a unobligated balance of \$16,000.00 in the account. No other accounts were considered.

3. Identify any projects, purchases, programs, contracts, or other obligations that will be deferred, delayed, or canceled as a result of the reduction in available spending authority that will result in the account that funds are transferred from.

None.

4. If the answer to the above question is "none" then please explain why this account was originally budgeted in a manner that caused an unobligated surplus to develop at this point in the fiscal year.

This account was originally budgeted to accommodate any professional services that might be required once the software integration program was in place to download case files from the circuit court clerk's office. The development software integration program was delayed and therefore, there is an unobligated surplus in the account.

Commissioner Collins, seconded by Commissioner Sims, moved that the request of the Public Defender be approved. **The motion carried unanimously.**

DEPARTMENT OF PUBLIC HEALTH

REPORT

Transmitting a Communication, dated August 11, 2011 from

STEPHEN A. MARTIN, JR., Ph.D., M.P.H., Chief Operating Officer, Department of Public Health

requesting to receive and file the following reports for the Cook County Department of Public Health:

1. Cook County Department of Public Health 2010 Annual Report; and
2. Cook County Department of Public Health Annual Tuberculosis Surveillance Report, 2010.

Items 1 and 2 were received and filed by the Cook County Health & Hospitals System Board at their meeting on July 29, 2011.

Commissioner Butler, seconded by Commissioner Murphy, moved that the communication be received and filed. **The motion carried unanimously.**

OFFICE OF THE PURCHASING AGENT

PROPOSED INTERGOVERNMENTAL AGREEMENT

Transmitting a Communication, dated September 1, 2011 from

MARIA DE LOURDES COSS, MPA, CPPO, Purchasing Agent

**Re: Intergovernmental Agreement – Procurement
For Cook County and City of Chicago**

requesting authorization to enter into and execute an intergovernmental agreement between the County through the Office of the Purchasing Agent and the City of Chicago, Department of Procurement Services, to jointly procure goods and services. This collaborative effort will allow each unit of government to leverage resources and volume in order to reduce acquisition costs as well as reduce the cost of goods and services procured.

Estimated Fiscal Impact: None.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Silvestri, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be referred to the Committee on Finance. (Comm. No. 314419). **The motion carried unanimously.**

PERMISSION TO ADVERTISE

Transmitting a Communication, dated August 18, 2011 from

MARIA DE LOURDES COSS, Purchasing Agent

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of Hygiene Supplies for Various County Departments.

Contract period: December 1, 2011 through November 30, 2013 with the option to renew for three additional one year periods. (Various-330 Account).

Approval of this item would commit Fiscal Year 2012 and 2013 funds.

The Purchasing Agent concurs.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

PROPOSED CONTRACT

Transmitting a Communication from

MARIA DE LOURDES COSS, Purchasing Agent

requesting authorization for the Purchasing Agent to enter into and execute a County-wide contract with Lexis Nexis d/b/a Vital Chek Network, Inc., Chicago, Illinois, for Credit Card Processing Services.

Reason: Authorization to advertise for Multi-Step Bid was approved on June 1, 2011. Step 1 of this Multi-step Sealed Bid process was to pre-qualify respondents for Credit Card Processing Services. An evaluation was conducted based on the evaluation criteria listed in the solicitation document. Responses were received and evaluated. Four firms were found qualified and were invited to participate in Step 2 and submit a sealed bid. The County is seeking the most economic flat rate convenience percentage fees to be charged to taxpayers for credit card payment transactions. Lexis Nexis d/b/a Vital Chek Network, Inc. submitted the lowest percentage fee.

Estimated Fiscal Impact: None. Contract period: October 1, 2011 through September 30, 2016. (Various -260 Account).

This is a revenue neutral service.

The Purchasing Agent concurs.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be referred to the Committee on Finance. (Comm. No. 314395). **The motion carried unanimously.**

PROPOSED CONTRACT ADDENDUM

Transmitting a Communication from

MARIA DE LOURDES COSS, Purchasing Agent

requesting authorization for the Purchasing Agent to increase by \$1,400,000 Contract No. 10-84-129 with Warehouse Direct, Mount Prospect, Illinois, for Countywide Office Supplies.

Board approved amount 09-01-10:	\$1,373,256.50
Increase requested:	<u>1,400,000.00</u>
Adjusted amount:	\$2,773,256.50

Reason: The original award amount of \$1,373,256.50 has been encumbered by Cook County departments through various purchase orders prior to the one year contract anniversary. Based on analysis of the contract, usage history and annual spend, it appears that the initial amount requested was for a one-year period, not a two-year period. In order to continue operation of County services, the contract will need to be increased by an additional \$1,400,000. The expiration date of the current contract is September 14, 2012.

Estimated Fiscal Impact: \$1,400,000.00. (Various-350 Accounts)

Approval of this item would commit Fiscal Year 2012 funds.

The Purchasing Agent concurs.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be referred to the Committee on Finance. (Comm. No. 314396). **The motion carried unanimously.**

BID OPENING

August 3, 2011

Honorable President and Members
Board of Commissioners of Cook County
Chicago, Illinois 60602

Dear Ladies and Gentlemen:

Pursuant to the rules of this Board, I hereby submit for your consideration, bids which were opened under my supervision on Wednesday, August 3, 2011, at 10:00 A.M., in the County Building, Chicago, Illinois.

Very truly yours,

EDWIN REYES, County Commissioner

<u>CONTRACT NO.</u>	<u>DESCRIPTION</u>	<u>USING DEPARTMENT</u>
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JOURNAL OF PROCEEDINGS FOR SEPTEMBER 7, 2011

11-87-007	Credit card processing services Multi-Step Sealed Bid (Step 2)	Various Cook County Departments
11-50-62	Plumbing supplies	Department of Facilities Management
11-50-86	Food service meals for prisoner lockups at court facilities excluding 26th and California	Sheriff's Court Services Division

By consensus, the bids were referred to their respective departments for review and consideration.

CONTRACTS AND BONDS

Transmitting a Communication from

MARIA DE LOURDES COSS, Purchasing Agent

Transmitting contracts and bonds executed by the contractors for approval and execution.

Deer Rehabilitation Services, Inc.

Agreement

Contract No. 11-87-008

For Coordinated Re-entry Services for the Sheriff's Department of Community Supervision and Intervention, for the contract sum of \$556,355.00, for a period of thirty-six (36) months, as authorized by the Board of Commissioners 7/27/11.

Leann Horrocks

Agreement

Contract No. 10-50-1066

For Development of an Interface between the Public Defender's Legal Edge system and the Circuit Court Clerk's Data System., for the Public Defender's Office, for the contract sum of \$131,100.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 7/27/11.

~~Intgreys~~ Integrys Energy Services

Agreement

Contract No. 11-87-004

For the Purchase and Delivery of Electricity to Cook County Facilities for two years with a County option to Renew for Two Years thereafter, for the Bureau of Administration, for the contract sum of \$255,680.00, for a period of twenty-four (24) months, as authorized by the Board of Commissioners 7/12/11.

The above item was approved as amended.

McDermott Center (d/b/a Haymarket Center)

Agreement

Contract No.11-87-009A

For Comprehensive Integrated Treatment Services that will break the Intergenerational Cycle of Trauma, Addiction and Crime by Providing Quality Gender-Responsive and Trauma-Informed Substance Abuse and Mental Health Treatment for Pregnant and Post Natal Detainees in the MOM's Program, for the Sheriff's Office of Women's Justice Services, for the contract sum of \$2,647,692.00, for a period of thirty-six (36) months, as authorized by the Board of Commissioners 7/27/11.

**Microsoft Corporation
Agreement
Contract No. 11-45-60**

For Integration and Enhancement Services to Core Microsoft Software Infrastructure, for the Bureau of Technology, for the contract sum of \$1,000,000.00, for a period of three (3) years, as authorized by the Board of Commissioners 3/1/11.

**Salina & Associates
Agreement
Contract No.11-87-009B**

For Comprehensive Integrated Treatment Services to include a Therapeutic Treatment Environment that is Supportive and Builds Skills, Strengths and Self-esteem for Detainees in the Sheriff's Female Furlough Program (SFFP) and the Drug Treatment Beds Program, for the Sheriff's Office of Women's Justice Services, for the contract sum of \$5,992,468.92, for a period of thirty-six (36) months, as authorized by the Board of Commissioners 7/27/11.

Commissioner Daley, seconded by Commissioner Sims moved that the contracts and bonds be approved as amended and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

The Purchasing Agent concurs.

REAL ESTATE MANAGEMENT DIVISION

CONTRACT ADDENDUM

Transmitting a Communication, dated August 3, 2011 from

ANNA ASHCRAFT, Director, Real Estate Management Division

respectfully requesting authorization for the Purchasing Agent to extend for three (3) months, Contract No. 08-53-121 with Ace Coffee Bar Inc., Streamwood, Illinois, to dispense beverages and food items through vending machines at various County owned facilities in Chicago.

Reason: This request is necessary to allow time for the Purchasing Agent to rebid the contract. Only one bid was received. The expiration date of the current contract is September 6, 2011. This is a revenue-generating item.

Fiscal Impact: None. Revenue Generating Estimate: \$42,000.00. Contract extension: September 7, 2011 through December 6, 2011.

The Purchasing Agent concurs.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the County Purchasing Agent be authorized to extend the requested contract. **The motion carried unanimously.**

AMENDMENTS TO LEASE

Transmitting a Communication, dated August 3, 2011 from

ANNA ASHCRAFT, Director, Real Estate Management Division

respectfully requesting approval of a third amendment to lease between Imperial Realty Company, as agent for Klairmont Family Associates, LP, as Landlord, and the County of Cook, as Tenant. The term of the Lease as amended will expire September 30, 2011. The premises is located in Cook County District #1, in the building known as the Eisenhower Tower, located at 1701 South First Avenue, Maywood and is currently occupied by the Cook County Department of Public Health (CCDPH).

The third amendment extends the term of the lease for one year under the same terms and conditions. This time frame will allow CCDPH to continue offering a variety of vital health services to the community of west suburban Cook County while CCDPH works toward consolidating leased space into County owned locations, where appropriate for client services. Details are:

Landlord:	Imperial Realty Company as agent for Klairmont Family Associates, LP
Tenant:	County of Cook
Using Agency:	Cook County Department of Public Health
Location:	1701 South First Avenue, Maywood, Illinois
Term:	October 1, 2011 to September 30, 2012
Space Occupied:	14,400 square feet

Base Rent: \$19,929.00 per month / \$239,148.00 Annually

Approval of this item would commit Fiscal 2012 year funds.

This item was approved by the Finance Committee of the Board of Directors of the Cook County Health and Hospitals System at their meeting on Friday, August 19, 2011.

Approval is recommended.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the request of the Director of the Real Estate Management Division be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

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Transmitting a Communication, dated August 3, 2011 from

ANNA ASHCRAFT, Director, Real Estate Management Division

respectfully requesting approval of a second amendment to retail lease between the County of Cook, as Landlord, and Boris Persky, as Tenant, extending the term of the lease for the operation of the "Around the Clock Repairs" shop located on the Pedway level of the George W. Dunne Office Building at 69 West Washington Street, Chicago, Illinois, the Premises. Details are:

Landlord:	County of Cook									
Tenant:	Boris Persky, d/b/a Around the Clock Repairs									
Location:	69 West Washington Street Lower Level Pedway, Suite LL-15									
Term	October 1, 2011 to September 30, 2014									
Space Occupied:	540 square feet									
Base Rent:	<table><thead><tr><th><u>Monthly</u></th><th><u>Annual</u></th><th><u>PSF</u></th></tr></thead><tbody><tr><td>\$1,035.00</td><td>\$12,420.00</td><td>\$23.00</td></tr><tr><td colspan="3">(plus \$3.00 per square feet annually for operating expenses)</td></tr></tbody></table>	<u>Monthly</u>	<u>Annual</u>	<u>PSF</u>	\$1,035.00	\$12,420.00	\$23.00	(plus \$3.00 per square feet annually for operating expenses)		
<u>Monthly</u>	<u>Annual</u>	<u>PSF</u>								
\$1,035.00	\$12,420.00	\$23.00								
(plus \$3.00 per square feet annually for operating expenses)										
Leasehold Taxes:	Tenant pays leasehold taxes for the premises in addition to rent and operating expenses									
Termination:	By Tenant with 90 day prior written notice									

The Tenant has met Cook County insurance requirements.

Approval is recommended.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the request of the Director of the Real Estate Management Division be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

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Transmitting a Communication, dated August 3, 2011 from

ANNA ASHCRAFT, Director, Real Estate Management Division

respectfully requesting approval of a third amendment to lease which extends the term of the lease between the County of Cook, as Landlord, and Catholic Charities of the Archdiocese of Chicago, an Illinois not-for-profit corporation, as Tenant. The Tenant shall continue to use and occupy the premises for general office purposes for Central States Institute of Addiction, in connection with activities related to the operation of the courts in the Building in which the respective portion of the premises is located. Upon written approval by the Director of Real Estate Management, Tenant may utilize portions of the premises for other similar purposes. The Tenant's use of the space includes monitoring D.U.I. (Driving Under the Influence) cases. Details are:

Landlord:	County of Cook
Tenant:	The Catholic Charities of the Archdiocese of Chicago
Term:	October 1, 2011 to September 30, 2014
Termination:	120 day written notice, either party

Rent:

<u>Building</u>	<u>Annual</u>	<u>Monthly</u>
2nd District Skokie 2,240 sq. ft. @ \$10.50	\$23,520.00	\$1,960.00
3rd District Rolling Meadows 2,600 sq. ft. @ \$10.50	\$27,300.00	\$2,275.00
4th District Maywood 820 sq. ft. @ \$10.50	\$8,610.00	\$717.50
5th District Bridgeview 3,620 sq. ft. @ \$10.50	\$38,010.00	\$3,167.50
6th District Markham 2,760 sq. ft. @ 10.50	\$28,980.00	\$2,415.00
Total: 12,040 sq. ft.	\$126,420.00	\$10,535.00

Tenant has met the insurance requirements under the Lease Agreement.

Approval is recommended.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the request of the Director of the Real Estate Management Division be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

REQ TO TERMINATE ADULT PROBATION STORAGE LEASE @ 1639 WALNUT

Transmitting a Communication, dated August 8, 2011, from

ANNA ASHCRAFT, Director, Real Estate Management Division

respectfully requesting authority to terminate the Lease Agreement entered into by and between JAG Partnership ("Landlord") and the County of Cook ("Tenant") for space located at 1639 West Walnut Street, Chicago, Illinois which is utilized by the Circuit Court of Cook County's Department of Adult Probation as warehouse space for storage of case files and equipment.

The Cook County Board of Commissioners ("Board") approved the original lease on September 1, 1998 and a five year option of renewal to the Lease further extending the term of this Lease through August 31, 2014 on February 18, 2009.

The Department of Adult Probation has communicated to this Office that it will be consolidating and relocating the case files and equipment currently stored at this location to its other storage facility also owned by the Landlord, located at 4734 West Chicago Avenue, Chicago, Illinois. The Landlord is willing to waive the 180 day written notice requirement for termination of this Lease and allow the County to terminate the Lease with a 30 day written notice.

Termination of said Lease will save the County approximately \$75,000.00 annually in future rent payments.

Upon approval, the Director of Real Estate Management will provide the required written notice for termination.

Approval is recommended.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the request of the Director of the Real Estate Management Division be approved. **The motion carried unanimously.**

COOK COUNTY DEPARTMENT OF REVENUE

PROPOSED INTERGOVERNMENTAL AGREEMENT

Transmitting a Communication, dated August 30, 2011 from

ZAHRA ALI, Director, Department of Revenue

As a result of efforts undertaken by the Joint Committee on City-County Collaboration and per the direction of Cook County Board President Toni Preckwinkle, authorization is hereby requested to enter and execute into an Intergovernmental Agreement between Cook County by and through the Department of Revenue and the City of Chicago, by and through its Department of Revenue and its Department of Business Affairs and Consumer Protection, to share tax information and enforcement data to increase compliance and enhance revenue for both the City of Chicago and the County of Cook.

Per Article VII, Section 10 of the Illinois Constitution, the Illinois Intergovernmental Cooperation Act 5 ILCS 220/1 et seq., and other applicable law, units of local government are permitted to cooperate with and support each other in exercise of their authority and the performance of their responsibilities. The purpose of this Intergovernmental Agreement is to (a) exchange and share information and technology to facilitate the collection of taxes, fees, accounts payable, debts and other revenues by the said Cook County and City of Chicago Revenue Departments and the City's Department of Business Affairs and Consumer Protection ("Departments") Departments, including information regarding (i) actual, alleged or reported tax ordinance violations; (ii) actual, alleged or reported tax ordinance violators; (iii) tax audits and investigations; and (iv) related findings of fact and conclusions of law; (b) implement mutually agreed upon investigation procedures to support and enforce the collection of tax revenues by said Departments; and (c) implement mutually agreed upon enforcement procedures to facilitate, encourage, induce or support the collection of revenue by said Departments, including suspending or holding in abeyance the issuance or renewal of business and other licenses as may be authorized by law. The documents and information shared pursuant to this agreement, including information disclosed pursuant are to be used strictly and solely for the purpose of aiding in the administration and enforcement of the City or County ordinances regarding taxes, revenue, licenses or fees.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be referred to the Committee on Finance (Comm. No. 314397). **The motion carried unanimously.**

OFFICE OF THE STATE'S ATTORNEY

GRANT AWARD ADDENDUM

Transmitting a Communication, dated August 12, 2011, from

ANITA ALVAREZ, Cook County State's Attorney

by

MICHELE V. LATZ, Chief of the Administrative Services Bureau, State's Attorney's Office

requesting authorization to accept a no-cost grant extension from September 1, 2011 to November 30, 2011 from the U.S. Department of Justice, Office on Violence Against Women for the Cook County State's Attorney's Target Abuser Call (TAC) Program. The extension will enable the Office to continue to spend the award amount as well continue to accomplish the program goals and objectives. The TAC Program, which began in 1997, is a prosecution-based program built on a foundation of victim safety and offender accountability. The TAC Program is a partnership between the State's Attorney's Office, the Social Service Department of the Office of the Chief Judge for the Circuit Court of Cook County, Life Span Center for Legal Services and Advocacy ("Life Span") and the Domestic Violence Court Advocacy Program of Hull House Association ("Hull House"). This grant provides funding for five (5) additional TAC Team members including one (1) TAC assistant state's attorney, one (1) State's Attorney TAC investigator, one (1) TAC victim specialist from our Victim Witness Assistance Program, one (1) court advocate from Hull House and one (1) paralegal from Life Span. Hull House and Life Span, our not-for-profit domestic violence partners on the TAC Program, are critical to the success of the TAC Program and complete TAC's approach of providing wraparound services to high-risk victims of domestic violence. The wraparound services provided through the TAC Program provide a better opportunity for victims to break the cycle of violence while ensuring victim cooperation, victim safety and offender accountability. This grant does not require a match contribution.

The authorization to accept the original award was given on October 18, 2005 by the Cook County Board of Commissioners in the amount of \$301,230.00.

Estimated Fiscal Impact: None. Supplemental Grant Award: None. Funding Period Extension: September 1, 2011 through November 30, 2011.

Request to extend contract #06-42-597 with Hull House Association:

Estimated Fiscal Impact: None. Supplemental Funds: None. Subcontract Period Extension: September 1, 2011 through November 30, 2011.

Request to extend and increase contract #06-41-756 with Life Span Center for Legal Services and Advocacy:

Estimated Fiscal Impact: None. Supplemental Funds: None. Subcontract Period Extension: September 1, 2011 through November 30, 2011.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Collins, seconded by Commissioner Reyes, moved that the request of the Chief of the Administrative Services Bureau of the State's Attorney's Office be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated August 10, 2011 from

ANITA ALVAREZ, Cook County State's Attorney

by

MICHELE V. LATZ, Chief of the Administrative Services Bureau, State's Attorney's Office

requesting authorization to accept a no-cost grant extension from the Illinois Criminal Justice Information Authority (ICJIA), for the Law Enforcement and Prosecutor Based Victim Assistance Program which would enable the office to expend the entire award amount. This grant provides funding for: two (2) Victim Specialists who are dedicated to serving victims of domestic violence (one assists victims of misdemeanor domestic violence and one assists victims of felony domestic violence), two (2) Victim Compensation Specialists, one (1) Disabilities Specialist, one (1) Senior Specialist, one (1) Gang Homicide Specialist, one (1) Branch 66 Homicide Specialist, and one (1) Suburban Courthouse Generalist.

The authorization to accept the previous grant was given on March 15, 2011 by the Cook County Board of Commissioners in the amount totaling \$470,699.00 with cash match totaling \$66,246.00 and in-kind match totaling \$75,998.00.

Estimated Fiscal Impact: None. Funding Period Extension: October 1, 2011 through October 31, 2011.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Collins, seconded by Commissioner Reyes, moved that the request of the Chief of the Administrative Services Bureau of the State's Attorney's Office be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

GRANT AWARD RENEWAL

Transmitting a Communication, dated August 9, 2011, from

ANITA ALVAREZ, Cook County State's Attorney

by

MICHELE V. LATZ, Chief of the Administrative Services Bureau, State's Attorney's Office

requesting authorization to accept a grant renewal in the amount of \$319,143.00 from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for the Cook County Internet Crimes Against Children (ICAC) Task Force Program. This will allow the office to continue to dedicate one (1) administrative assistant to support the work of the Task Force, one (1) Assistant State's Attorney to focus on ICAC cases, one part-time Forensic Examiner dedicated to conducting forensic examinations of ICAC cases, as well as continue to provide funding to equip and train the Cook County ICAC Task Force partner agencies in an effort to aggressively identify, investigate and prosecute persons who use the internet to sexually exploit children as well as prevent such exploitation through community outreach and education. The Cook County ICAC Task Force partners include representatives of the State's Attorney's Office, the Chicago Police Department and law enforcement agencies from throughout Cook County. Task Force partners from local law enforcement agencies concentrate their investigative

efforts in the City of Chicago and the entire outlying suburban Cook County area. This grant does not require a match contribution.

The authorization to accept the original grant award was given on December 3, 2008 by the Cook County Board of Commissioners in the amount of \$300,000.00.

Estimated Fiscal Impact: None. Grant Award: \$319,143.00. Funding Period: April 1, 2011 through March 31, 2012.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Collins, seconded by Commissioner Reyes, moved that the request of the Chief of the Administrative Services Bureau of the State's Attorney's Office be approved. **The motion carried unanimously.**

PENDING LITIGATION

Transmitting a Communication, dated August 11, 2011 from

ANITA ALVAREZ, Cook County State's Attorney

by

PATRICK T. DRISCOLL, JR., Deputy State's Attorney, Chief, Civil Actions Bureau

respectfully request permission to discuss the following cases with the Board or the appropriate committee thereof:

1. Terran Dale O'Neal v. Thomas Dart, et al., Case No. 11-C-2115 (Comm. No. 314410).
2. Moriarty v. State's Attorney's Office, Case No. 09-C-3969 (Comm. No. 314411).
3. Ramon Tolbert v. Thomas Dart, et al., Case No. 10-C-3782 (Comm. No. 314412).
4. Ian McKoy v. Luis Santoyo, et al., Case No. 10-L-014521 (Comm. No. 314413).
5. Keith Curry v. Ms. Moore, et al., Case No. 10-C-5047 (Comm. No. 314414).
6. Felicia Ugwa v. Cook County Health and Hospital System, Case No. 11-CV-2105 (Comm. No. 314415).
7. Elizabeth Echols v. County of Cook, et al., Case No. 11-L-4789 (Comm. No. 314416).
8. Michele Griffis, as Guardian of the Estate of Cornell Colvin v. County of Cook, et al., Case No. 11-L-6347

(Comm. No. 314417).

9. Franchon Lee v. Cook County, et al., Case No. 10-C-2833
(Comm. No. 314418).
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Commissioner Fritchey, seconded by Commissioner Collins, moved that the communications be referred to the Committee on Finance Litigation Subcommittee. **The motion carried unanimously.**

ADJOURNMENT

Commissioner Daley, seconded by Commissioner Silvestri, moved that the meeting do now adjourn to meet again at the same time and same place on September 20, 2011, in accordance with County Board Resolution 11-R-26.

The motion prevailed and the meeting stood adjourned.

County Clerk